



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

County Staff Responses to Appeal from Santa Clarita Organization for Planning and the Environment (SCOPE) and Friends of the Santa Clara River, dated May 26, 2011, of Regional Planning Commission Decision Concerning Mission Village Project and Associated Actions

October 20, 2011

MISSION VILLAGE PROJECT

**COUNTY PROJECT NO. 04-181-(5)
VESTING TENTATIVE TRACT MAP NO. 061105
CONDITIONAL USE PERMIT NO. 20050080
CONDITIONAL USE PERMIT NO. 20050081
OAK TREE PERMIT NO. 20050032
OAK TREE PERMIT NO. 20050043
PARKING PERMIT NO. 200500011
STATE CLEARINGHOUSE NO. 2005051143**

Appeal from Santa Clarita Organization for Planning and the Environment (SCOPE) and Friends of the Santa Clara River, dated May 26, 2011, of Regional Planning Commission Decision Concerning Mission Village Project and Associated Actions

Response 1

The comment consists of the first page of the County appeal form. Each of the issues raised by the appeal, including the related attachments, is addressed below. Los Angeles County appreciates your comments and they will be made available to the decision makers prior to a final decision on the proposed project.

Response 2

The comment states that the Los Angeles County Regional Planning Commission (Commission) was "erroneously informed" that the Los Angeles County Board of Supervisors (Board) approved the use of the Valencia Water Reclamation Plant (WRP) for Newhall Ranch. The comment states this has not occurred, and refers to the resolution ordering formation of the Newhall Ranch County Sanitation District (NRSD) as "the only resolution regarding this matter." (The January 18, 2011 staff report from the County Public Department of Public Works accompanying the referenced resolution is not attached.) The comment further states that the Commission approval of Mission Village, therefore, is "inconsistent" with the Newhall Ranch Specific Plan, which "requires Newhall to build" the Newhall Ranch WRP. The comment includes the first reason for the appeal -- "inconsistency with the Specific Plan."

Responses to these and other issues are addressed in the Mission Village Final EIR (May 2011) certified by the Commission on May 18, 2011. Nonetheless, as further explained below, the interim use of the Valencia WRP by the proposed Mission Village project is authorized by the 2002 Interconnection Agreement entered into between the project applicant (Newhall) and County Sanitation Districts Nos. 36 and 32 (subsequently consolidated as the Santa Clarita Valley Sanitation District (SCVSD)). Further, the temporary treatment of wastewater at the existing Valencia WRP would not eliminate the need for Newhall to construct the Newhall Ranch WRP. (For further responsive information, please see the Mission Village Final EIR, Appendix F4.22 [SCVSD technical memorandum to the Board of Supervisors, dated March 8, 2011].) Therefore, approval of the Mission Village project is not "inconsistent" with the Specific Plan.

Moreover, the Board was apprised of the Interconnection Agreement as it was referenced in two County staff reports to the Board in support of the formation of the NRSD. For example, in the County Department of Public Works' staff report to the Board of Supervisors, dated December 1, 2005, the Department advised the Board that:

"The Santa Clarita Valley Sanitation District of Los Angeles County has entered into an Agreement with Newhall Land and Farming regarding the coordination of wastewater

management facilities for the Newhall Ranch Specific Plan area and adjacent areas. As a condition of formation, the Newhall Ranch Sanitation District will be required to apply to the Santa Clarita Valley Sanitation District to become a party to the joint administration Agreement of the County sanitation districts and to enter into a separate agreement with the Santa Clarita Valley Sanitation District, which agreements will provide for the construction, operation, maintenance, and funding of the wastewater management facilities for the Newhall Ranch Specific Plan area." (Ibid., pp. 3-4, italics added.)

The above-referenced Agreement is to the 2002 Interconnection Agreement. In terms of impacts on current services, the Department's December 1, 2005 staff report also stated:

"In addition, the Agreement between the Santa Clarita Valley Sanitation District and Newhall Land and Farming allows up to 6,000 capacity units to be treated at existing Santa Clarita Valley Sanitation District wastewater treatment facilities as needed during construction of the Newhall Ranch Water Reclamation Plant. The Santa Clarita Valley Sanitation District has sufficient capacity to accommodate this use of its facilities." (Ibid., p. 4, italics added.)

As shown, this staff report referenced the 2002 Interconnection Agreement and, specifically, the interim use of the Valencia WRP to allow treatment of up to 6,000 units within Newhall Ranch as needed during construction of the Newhall Ranch WRP. The report also confirmed that the existing Valencia WRP has sufficient capacity to accommodate the interim use of its facilities.

In addition, the Board's proposed Resolution, attached to the December 1, 2005 staff report, made reference to the 2002 Interconnection Agreement as "Contract No. 3868, dated January 9, 2002, between Santa Clarita Valley Sanitation District and the Newhall Land and Farming Company." SCOPE's Interconnection Agreement attachment to its appeal describes the Interconnection Agreement as "CSD Contr. #3868" in the upper right-hand corner.

Furthermore, the Department of Public Works' staff report to the Board of Supervisors, dated January 18, 2011, refers to the Interconnection Agreement and the interim use of the existing Valencia WRP, concluding that SCVSD has "sufficient capacity" to accommodate the interim use of its facilities:

"In addition, the agreement between the Santa Clarita Valley Sanitation District of Los Angeles County (SCV) and Newhall Land and Farming allows up to 6,000 capacity units to be treated at existing SCV wastewater treatment facilities as needed during construction of the Newhall Ranch Water Reclamation Plant. SCV has sufficient capacity to accommodate the use of its facilities." (Ibid., p. 3.)

As stated in the Mission Village Final EIR (May 2011), Response 1 to the letter submitted by SCOPE, dated March 16, 2011 (Letter C22):

"[O]n March 23, 1999, and, again, on May 27, 2003, the County's Board of Supervisors (Board) certified the environmental documents for the Newhall Ranch Specific Plan and

the Newhall Ranch WRP. The certified 1999 Newhall Ranch Specific Plan Program EIR evaluated the Newhall Ranch WRP at a project level of detail, and the Board approved the Newhall Ranch WRP under Conditional Use Permit No. 94-087-(5). The Newhall Ranch WRP is to provide treatment of the wastewater generated within the Specific Plan as well as produce recycled water for the Specific Plan area.

The Newhall Ranch WRP's certified project-level environmental analysis is found in Section 5.0 of the Newhall Ranch Revised Draft EIR (March 8, 1999) and Section 3.0 of the Newhall Ranch Revised Additional Analysis, Volume VIII (May 2003). Section 3.0 assessed and updated various Newhall Ranch WRP alternatives, including the approved Newhall Ranch WRP site.

The 1999 Newhall Ranch Specific Plan Program EIR and the 2003 Newhall Ranch Revised Additional Analysis contained Mitigation Measure SP 5.0-52, requiring formation of a county sanitation district for the Newhall Ranch Specific Plan area. This requirement also was included in the adopted Mitigation Monitoring Plan for the Newhall Ranch Specific Plan. Other mitigation measures (Mitigation Measures SP 5.0-22, SP 5.0-55) required the Newhall Ranch WRP to be designed and operated in accordance with a National Pollutant Discharge Elimination System (NPDES) permit, to be obtained from the RWQCB, Los Angeles Region.

In addition, the following mitigation measures were presented in both the Newhall Ranch Specific Plan Program EIR, Section 4.12, Wastewater Disposal, and repeated in the Mission Village Draft EIR, Section 4.9, Wastewater Disposal (page 4.9-15):

"SP 4.12-1 The Specific Plan shall reserve a site of sufficient size to accommodate a water reclamation plant to serve the Newhall Ranch Specific Plan. *(This measure has been implemented by the Board of Supervisors' approval, in May 2003, of the Newhall Ranch WRP within the boundary of the Specific Plan.)*

SP 4.12-2 A 5.8 to 6.9 mgd water reclamation plant shall be constructed on the Specific Plan site, pursuant to County, State, and Federal design standards, to serve the Newhall Ranch Specific Plan. *(This measure will be implemented pursuant to the project-level analysis already completed for the Newhall Ranch WRP in the certified Newhall Ranch Specific Plan EIR.)"*

As indicated in the Draft EIR and in the mitigation measures provided above, the Specific Plan has reserved a site of sufficient size to accommodate the new WRP. This measure already has been implemented through the reservation of the site for the WRP on the western boundary of the Specific Plan site. The mitigation measures also require that a WRP be constructed on the Specific Plan site, pursuant to County, state and federal design standards, to serve the Specific Plan.

To fulfill these mitigation requirements and establish a logical plan for development of the new district and its infrastructure, the Newhall Land and Farming Company (Newhall) and the Sanitation Districts Nos. 36 and 32, later consolidated as the SCVSD, entered into the Interconnection Agreement, dated January 9, 2002."

Under the 2002 Interconnection Agreement, the existing Valencia WRP can temporarily treat wastewater for up to 6,000 Newhall Ranch dwelling units, including Mission Village and Landmark Village, until such time as the Newhall Ranch WRP is constructed and operational. The Interconnection Agreement sets conditions under which the first 6,000 dwelling units in Newhall Ranch may temporarily discharge wastewater to the existing Valencia WRP. The conditions include payment of the standard connection fee (fair share of the cost of the existing infrastructure) and transfer of title of the 22-acre Newhall Ranch WRP site to the NRSD. Newhall Ranch residents also would pay the SCVSD an annual service charge to recover the full cost of treating their wastewater at the Valencia WRP.

Temporary treatment of wastewater at the existing Valencia WRP would not eliminate the need for the developer to construct the Newhall Ranch WRP and to finance the new sewerage system within the Specific Plan area; instead, the temporary treatment of wastewater at the existing Valencia WRP is a practical engineering decision based on the need to build up an adequate, steady flow of wastewater before startup of the Newhall Ranch WRP.

Based on the SCVSD future wastewater generation estimates and the planned expansion of the Saugus and Valencia WRPs, the Valencia WRP would have sufficient capacity to temporarily accommodate the Project's predicted wastewater generation of 0.90 mgd. Additionally, the Mission Village project is expected to produce wastewater chloride concentrations similar to those in the existing SCVSD service area. Therefore, and based on information provided by the SCVSD, the interim discharge of wastewater from the Valencia WRP due to the Mission Village project's wastewater would not impact the SCVSD's ability to comply with the adopted chloride total maximum daily load (TMDL), or create significant effects on the environment.

Additionally, the 2002 Interconnection Agreement was available for public review throughout the process. The Interconnection Agreement was considered and approved by SCVSD's predecessor Boards (i.e., Districts 26 and 32) at their January 9, 2002 meeting, which was noticed, the subject of an agenda, and open to the public in compliance with the Brown Act. Further, as stated above, the Interconnection Agreement was referenced in prior County staff reports supporting formation of the new NRSD (see, Department of Public Works staff report to the Board of Supervisors, dated December 1, 2005, pages 3-4; and that same Department staff report to the Board, dated January 18, 2011, both of which are incorporated by reference).

Response 1 to SCOPE's March 16, 2011 comment letter (Letter C22) provides the following additional information regarding formation of the NRSD:

"On December 13, 2005, the County's Board adopted a resolution of intent to form the new district to be known as the Newhall Ranch County Sanitation District (NRSD). The

Board also approved an Addendum to the Newhall Ranch EIR and Additional Analysis, which evaluated the environmental effects of NRSD formation. The Addendum determined that formation of the NRSD would not result in new or substantially more severe environmental impacts than those discussed in the prior Newhall Ranch environmental documents.

Thereafter, the County initiated proceedings for the formation of the NRSD, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. On June 14, 2006, the Local Agency Formation Commission (LAFCO) for Los Angeles County adopted a resolution approving formation of the NRSD. On July 27, 2006, LAFCO issued a Certificate of Completion for formation of the NRSD.¹

On January 18, 2011, the County's Board considered a resolution confirming formation of the NRSD. In doing so, the Board found that formation of the NRSD was within the scope of the previously certified Newhall Ranch EIR and Addendum."

Additional information responsive to this issue is provided in the Mission Village Final EIR (May 2011 and October 2011). See, for example, revised **Topical Response 5: Chloride**, and **Topical Response 6: Water Quality**. See also responses to the letter from SCOPE, dated March 16, 2011 (Letter C22); and letter from the Ventura County Agricultural Water Quality Coalition, dated April 27, 2011 (Letter C23).

Based on the information presented above, and in the other responses referenced above, the Mission Village Project and the plan for treating wastewater from the Project are not "inconsistent" with the Newhall Ranch Specific Plan. The temporary treatment of wastewater at the existing Valencia WRP would not eliminate the need for the developer to construct the Newhall Ranch WRP and to finance the new sewerage system within the Specific Plan.

Response 3

This comment lists the second reason for the appeal as a "failure to address the chloride problem in the Santa Clara River."

As noted in **Response 2**, above, the Mission Village project is expected to produce wastewater chloride concentrations similar to those in the existing SCVSD service area. Therefore, the interim discharge of wastewater from the Valencia WRP due to the Mission Village project's wastewater would not impact the SCVSD's ability to comply with the adopted chloride total maximum daily load (TMDL), or create significant effects on the environment.

¹ In addition, on September 6, 2007, the Regional Water Quality Control Board, Los Angeles Region (RWQCB), adopted Order No. R4-2007-0046 relative to the Newhall Ranch Sanitation District's WRP waste discharge to the Santa Clara River, which order also serves as the National Pollutant Discharge Elimination System (NPDES) Permit for the Newhall Ranch WRP (NPDES Permit No. CA0064556).

Additionally, in response to the County's request, and consistent with the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR), the project applicant is to construct proposed interim chloride reduction facilities that would be used to reduce chloride levels of both the Mission Village and Landmark Village project wastewater while treated at the Valencia WRP. The chloride reduction would ensure that, during the period project wastewater is treated at the Valencia WRP, approximately 1.6 million gallons per day (mgd) of effluent generated by the first 6,000 dwelling units within Newhall Ranch would be at concentrations below 100 milligrams per liter (mg/L) for chloride prior to discharge to the Santa Clara River.

Additional information regarding chloride-related impacts to water quality, wastewater discharges from the Mission Village project to the Valencia WRP, and the interim chloride reduction and demineralization facilities are provided in the Mission Village EIR. Please see, for example, Mission Village Final EIR (October 2011) revised **Topical Response 4: Revised Project Design**, **Topical Response 5: Chloride**, and **Topical Response 6: Water Quality**.

Response 4

This comment lists the third reason for the appeal as "insufficiency of spineflower mitigation." Because the statement does not raise any specific references regarding the adequacy, or lack thereof, of the spineflower mitigation presented in the Mission Village Final EIR, no response that is specific to the stated reason for appeal can be provided.

However, the Final EIR presents a comprehensive analysis of the project's potential impacts to the spineflower and includes a series of mitigation measures to reduce the identified impacts to a level below significant. Please see Mission Village EIR, **Section 4.3, Biota**. As further explained below, spineflower impacts would be mitigated through the project's inclusion in the Newhall Ranch Spineflower Conservation Plan (SCP), which was approved by the California Department of Fish and Game (CDFG) on December 3, 2010, and the incorporation of additional project-specific measures. (See Mission Village Final EIR (May 2011), Section 4.3, Biota, pp. 4.3-144—146.)

The SCP establishes spineflower preserves within the Newhall Ranch Specific Plan site and the Entrada planning area. (See Mission Village Final EIR, Section 4.3, Biota, pp. 4.3-144-146). The preserves are protected by conservation easements granted to CDFG in perpetuity. (Id., p. 4.3-146).

As described in the SCP, the proposed preserves have been designed to accommodate natural spineflower population fluctuations and include occupied spineflower habitat and buffer habitat. (Id., p. 4.3-146). In addition, the preserves would provide habitat for potential spineflower pollinators and dispersal agents. (Id., p. 4.3-146).

In connection with the preserves identified in the approved SCP, spineflower mitigation measures, include the following:

- Mitigation funds for the management and monitoring of the preserves
- Restoration of degraded and/or damaged spineflower habitat
- Establishment of site-specific buffers to neutralize and/or control adverse edge effects, such as Argentine ants, from adjacent changes in land use
- Buffer areas
- Restrictions on public access to spineflower preserves
- Control of plant palettes used within 200 feet of spineflower preserves to prevent introduction of exotic species

These and other mitigation measures designed to benefit the spineflower are described in the Mission Village Final EIR (May 2011), **Section 4.3, Biota**, pp. 4.3-147 through 150; 4.3-294 through 308; and 4.3-343 through 353. In addition, the Mission Village project is required to comply with all requirements of the spineflower Incidental Take Permit (ITP) issued by CDFG pursuant to section 2081 of the Fish and Game Code. Finally, the preserve and protection measures outlined in the ITP, SCP, and the Mission Village EIR are consistent with the Spineflower Overlay and Mitigation Program adopted by the County in May 2003 as part of the Newhall Ranch Specific Plan. (See Mission Village Final EIR, Section 4.3, Biota, p. 4.3-150). With implementation of the SCP and the mitigation measures described in the Mission Village Final EIR, the project's impacts on the spineflower will be reduced to less than significant levels. (Both the spineflower ITP and the CDFG-adopted SCP are incorporated by reference and are available for public review upon request to the County Department of Regional Planning.)

Please see Final EIR **Topical Response 1: Newhall Ranch RMDP/SCP Project and Associated EIS/EIR**, for additional information regarding the CDFG-adopted SCP.

Response 5

This comment lists the fourth reason for the appeal as "inadequate air pollution mitigation." Because the statement does not raise any specific references regarding the adequacy, of the air emission mitigation measures presented in the Mission Village Final EIR, no response that is specific to the stated reason for appeal can be provided.

However, the Mission Village Final EIR presents a comprehensive analysis of the project's potential impacts relative to air quality and includes a series of mitigation measures prepared in response to those impacts that would reduce the identified significant construction- and operation-related impacts to the

maximum extent feasible. Please see the Mission Village Final EIR, **Section 4.7, Air Quality**, for the air quality mitigation measures. Notwithstanding, the EIR determined that no feasible mitigation exists that would reduce the project's construction-related emissions of volatile organic compounds (VOC), nitrogen oxide (NO_x), respirable particulate matter (PM₁₀ or PM_{2.5}) to below the South Coast Air Quality Management District's recommended thresholds of significance. Additionally, the EIR determined no feasible mitigation exists that would reduce the project's operational emissions of VOC, NO_x, PM₁₀, or PM_{2.5} to less than significant levels. Therefore, consistent with the determinations made in the Newhall Ranch Specific Plan EIR, the project's construction-related and operation-related emissions remained significant and unavoidable, even after adoption of the feasible air quality-related mitigation measures identified in the Mission Village Final EIR, **Section 4.7, Air Quality**. Accordingly, as the Board of Supervisors found with respect to the Newhall Ranch Specific Plan, the Commission adopted a Statement of Overriding Considerations, which found that the project's remaining significant impacts are outweighed and found to be acceptable due to the project's specific overriding benefits.

Response 6

This comment lists the fifth reason for the appeal as "inadequate burden of proof for overriding considerations." Because the statement does not raise any specific references regarding the adequacy of the Mission Village Final EIR and record used by the Commission to support its findings, no response that is specific to the stated reason for appeal can be provided.

However, the California Environmental Quality Act (CEQA) requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental impacts when determining whether to approve a project. If the specific economic, legal, social, technological, or other project benefits outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable." (*State CEQA Guidelines*, Section 15093(a).) In this case, the Statement of Overriding Considerations adopted by the Commission as part of its CEQA findings sets forth significant overriding benefits that would result with development of the Specific Plan, generally, and Mission Village, specifically. Significant benefits specific to Mission Village include providing a range of quality housing to help meet the projected housing needs in the Santa Clarita Valley and region; providing commercial/retail space to contribute to meeting the Valley and region's needs; creation of approximately 5,000 to 6,000 permanent jobs within the project's commercial and mixed use areas; granting of a conservation and public access easement over that portion of the River Corridor SMA/SEA 23 located within the project site; numerous public facilities including an elementary school, fire station, library, bus transfer station, parks, trails, paseos, and recreation areas; and, the generation of revenue in the form of sales taxes, property taxes, fees, etc., that would be available to the County to fund on-site public services.

Response 7

This comment lists the sixth, and final, reason for the appeal as “additional matters inadequately addressed by the EIR brought by other parties.” Because the statement does not identify any specific issues “inadequately addressed” in the Mission Village Final EIR, no response specific to the stated reason for appeal can be provided.

Response 8

This comment requests that the Mission Village EIR be recirculated or that a supplemental EIR be prepared for the project due to “new information that constitutes a major change of circumstances in the Public Services, Waste Water Treatment, and Water Quality Sections of the Specific Plan and the subsequent EIRs for these projects.”

Based on an independent analysis of the environmental impacts associated with the Mission Village Project, including the responses to comments presented in the Mission Village Final EIR, the County does not believe that issues raised by this appeal or during public review of the Mission Village Project and the related EIR meet the CEQA standards requiring either the recirculation of the Mission Village EIR or preparation of a supplemental EIR for the project. Los Angeles County appreciates your comments and they will be made available to the decision makers prior to a final decision on the proposed project.

Response 9

This comment refers to the approved Newhall Ranch Specific Plan and states that it "guaranteed that all water quality issues would be resolved by an NPDES permit issued with requirements to meet the TMDL limits for the Santa Clara River."

First, based on the County's review of the adopted Newhall Ranch Specific Plan (May 2003), there is no "guarantee" in that document that "all water quality issues would be resolved by an NPDES permit issued with requirements to meet the Total Maximum Daily Load (TMDL) limits for the Santa Clara River."

Second, as discussed in **Responses 2 and 3**, above, the interim discharge of wastewater from the Valencia WRP due to the Mission Village project's wastewater would not impact the SCVSD's ability to comply with the adopted chloride TMDL, or create significant effects on the environment. Additionally, the proposed interim chloride reduction facilities that would be used to reduce chloride levels for the first 6,000 units in Newhall Ranch, including Mission Village and Landmark Village, would ensure that, during the period project wastewater is treated at the Valencia WRP, project effluent would be at concentrations below 100 mg/L for chloride.

Response 10

This comment repeats concerns regarding the treatment of wastewater from the Mission Village project and the 2002 Interconnection Agreement to treat wastewater from up to 6,000 units in the Newhall Ranch Specific Plan area at the Valencia WRP, and states that the Interconnection Agreement was disclosed "for the first time" on January 19, 2011.

As noted in **Response 2**, above, the 2002 Interconnection Agreement was subject to public review throughout the process. The Interconnection Agreement was considered and approved by SCVSD's predecessor Boards (i.e., Districts 26 and 32) at their January 9, 2002 meeting, which was noticed, the subject of an agenda, and open to the public in compliance with the Brown Act. Further, as shown in **Response 2**, above, the Interconnection Agreement was referenced in prior County staff reports supporting formation of the new NRSB (see, for example, Department of Public Works staff report to the Board of Supervisors, dated December 1, 2005, pages 3-4; and that same Department's staff report to the Board, dated January 18, 2011, both of which are incorporated by reference).

Additional information related to the issues raised in this comment are addressed in the Mission Village Final EIR (May 2011 and October 2011), **Topical Response 5: Chloride**. Please also see the Mission Village Final EIR (May 2011), Responses 2-5 to the letter from County Sanitation Districts of Los Angeles County, dated November 17, 2010 (Letter B1); Responses 1-11 to letter from SCOPE, dated March 16, 2011 (Letter C22); and Responses 1-11 to the letter from the Ventura County Agricultural Water Quality Coalition, dated April 27, 2011 (Letter C23).

Response 11

This comment states that the use of recycled water from the Valencia WRP will increase the salt load in the watershed, "since this plant produces recycled water at a higher salt level than permitted for the Newhall Ranch" WRP.

The salt concentration in recycled water from the Valencia and Newhall WRPs would be similar. The production, distribution, and reuse of recycled water by SCVSD for direct, non-potable applications (e.g., landscape irrigation) are presently regulated under Water Reclamation Requirements (WRR) Order No. 87-48, adopted by the Los Angeles Regional Water Board on April 27, 1987. Order No. 87-48 does not require treatment for chloride of the recycled water; it contains a reclaimed water limitation for chloride of 300 mg/L. The WRRs that will be adopted for the Newhall WRP prior to operation of the plant will be similar to those contained in the Valencia WRR.

Because the Mission Village and Landmark Village projects are expected to produce wastewater chloride concentrations similar to those in the existing SCVSD service area (see Mission Village Final EIR, **Topical Response 5**), and because recycled water would not be treated with demineralization at the Newhall WRP prior to recycling (the same as the Valencia WRP), the use of recycled water from the Valencia Plant would "not increase the salt load" in the watershed.

For additional information regarding this topic, please see Mission Village Final EIR **Topical Response 5: Chloride**, including the portions of that response entitled, "5. Expected Chloride Concentration in Mission Village and Landmark Village Wastewater" and "6. Valencia WRP Capacity."

Response 12

This comment states that Friends of the Santa Clara River joins in the appeal of the Commission's certification of the Mission Village Final EIR and approval of the Mission Village project. Los Angeles County appreciates this comment and it will be made available to the decision makers prior to a final decision on the proposed project.



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

Referenced Topical Responses

October 2011

Updated Topical Response 1: Newhall Ranch RMDP/SCP Project and Associated EIS/EIR

Several comments refer to the joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) project. The RMDP/SCP is a separate but related project that encompasses the Newhall Ranch Specific Plan area and two planning areas in the Specific Plan's immediate vicinity, the Valencia Commerce Center (VCC) and Entrada, located in the Santa Clarita Valley, County of Los Angeles. The joint EIS/EIR was prepared by the U.S. Army Corps of Engineers (Corps), acting as the lead agency under the National Environmental Policy Act (NEPA), and the California Department of Fish and Game (CDFG), acting as the lead agency under the California Environmental Quality Act (CEQA).

The RMDP/SCP and associated EIS/EIR were described in the Mission Village Draft EIR, Vol. I (October 2010), Section 4.3, pp. 4.3-135. The Draft EIR, Section 4.3, Biota, pages 4.3-369 through 4.3-386, analyzed the RMDP/SCP project as one of 122 projects with related or cumulative impacts associated with the Mission Village proposed project. The joint EIS/EIR is available for public review at CDFG's website: <http://www.dfg.ca.gov/regions/5/newhall/docs/>. This background regarding the RMDP/SCP and related EIS/EIR is provided in order to place the comments received on the Mission Village Draft EIR into context.

In summary, the comments generally state that Los Angeles County's review of the Mission Village proposed project and EIR should either be "stayed" or "not proceed" until the EIS/EIR for the Newhall Ranch RMDP/SCP project has been completed. Other comments request that the EIS/EIR be finalized and that the Corps issue its "record of decision" and CDFG issue its "notice of determination" approving the RMDP/SCP project and associated Final EIS/EIR prior to proceeding any further with the Mission Village project and EIR. In addition, the comments state that the "sequence" of the Mission Village EIR and the EIS/EIR is "backwards," meaning that some commentators would like to see the EIS/EIR be completed and adopted before the County proceeds further with the Mission Village project and EIR. The County does not concur with these comments for the reasons explained below. In addition, the County has provided additional updated information pertinent to the RMDP/SCP project and associated EIS/EIR, which is responsive to the comments.

In addition, as explained in further detail below, it should be noted that as of December 3, 2010, CDFG certified the EIR portion of the EIS/EIR and issued final approvals for the Newhall Ranch RMDP/SCP project, including a master streambed alteration agreement and two incidental take permits. ~~The Corps is continuing to conduct its own independent analysis of the RMDP/SCP project, pursuant to applicable federal laws and regulations. Moreover, also as explained in further detail below, in August 2011, the~~

Corps approved the EIS portion of the joint EIS/EIR for the Newhall Ranch RMDP/SCP project, and issued its "Record of Decision," or ROD, approving the applicant's requested Clean Water Act section 404 permit.

Based on CDFG's final approvals, the County has directed the project applicant to submit a revised Vesting Tentative Tract Map (revised project) that, among other design components, reflects the reduced impacts to spineflower and other resources that fall within CDFG's jurisdiction. For further information regarding the Mission Village revised project, please refer to **Topical Response 4: Revised Project Design.**

The County's Review of the Mission Village Project and EIR Need Not Await Completion of the EIS/EIR

The County has considered the above comments, and has concluded that the County's review of the Mission Village project and EIR need not await completion of the Newhall Ranch RMDP/SCP project and associated EIS/EIR. The reasons supporting the County's factual determination are set forth below.

First, the Newhall Ranch RMDP/SCP project is one of 422 projects with related or cumulative impacts. (See Draft EIR (October 2010), Section 4.3, p. 4.3-369.) Under CEQA, the list of cumulative projects is to include "past, present, and probable future projects" producing related or cumulative impacts. (State CEQA Guidelines, §15130(b)(1)(A).) The RMDP/SCP project falls into the category of a "present" or "probable future project" under CEQA. No requirement exists for a proposed project, such as Mission Village, to be stayed or to not proceed because there is a related "present" or "probable future project" under review by different public agencies. Instead, the legal obligation under CEQA is for the Mission Village EIR to discuss the cumulative impacts of the Mission Village project, in conjunction with other projects with related impacts. This analysis was completed for biological resources in the Mission Village Draft EIR, and it included the RMDP/SCP project. (See, e.g., Draft EIR (October 2010), Section 4.3, pp. 4.3-367 through 4.3-565.)

Second, before the applicant sought federal and state permits for portions of the Specific Plan, and before initiating preparation of the Mission Village project EIR, the County certified a programmatic environmental document for the entire Specific Plan area.¹ Consistent with State CEQA Guidelines section 15168, the previously certified Newhall Ranch programmatic environmental documentation

¹ See, Revised Draft Program EIR for the Newhall Ranch Specific Plan and Water Reclamation Plan (March 8, 1999), and the Newhall Ranch Revised Additional Analysis, Volume VIII (May 2003), SCH No. 1995011015. This previously certified Newhall Ranch environmental documentation is incorporated by reference in the Mission Village EIR and record, and is available for public inspection and review at Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012.

provided several advantages, including: (a) allowing for a more exhaustive consideration of effects and alternatives for the entire Specific Plan area than would be practical if the review was conducted on a project-by-project basis; (b) ensuring consideration of cumulative impacts that might be slighted or overlooked in a case-by-case analysis; (c) avoiding duplicative reconsideration of basic policy considerations and decisions already made by Los Angeles County; and (d) allowing the County to consider broad policy alternatives and program-wide mitigation measures at an early time in the environmental review process. The State CEQA Guidelines further acknowledge that later activities, which are part of the program, are required to be examined in light of the prior program documentation. (State CEQA Guidelines, §15168(c).) Here, as part of the approved Specific Plan, the County contemplated that the applicant would be required to also pursue the federal and state permitting needed to facilitate implementation of the Specific Plan. (See Specific Plan, May 2003, Section 2.6, p. 2-85.) The previously certified Newhall Ranch “program” documentation serves as the foundation for these subsequent federal and state actions and permits. With this program in place, nothing prohibits or precludes concurrent processing at the project level.

Third, the Newhall Ranch RMDP/SCP project was initiated as part of the implementation of the Specific Plan. The adopted Specific Plan (May 27, 2003) specifically contemplated that “[m]itigation and management activities within Newhall Ranch will be subject to a variety of future requirements,” including CDFG “Section 1603 Streambed Alteration Agreements” and “Section 404 Permits” issued by the Corps. (See Specific Plan, May 2003, Section 2.6, p. 2-85.) Importantly, nothing in the County’s Specific Plan implementation procedures requires the Mission Village subdivision map process to be stayed or otherwise await completion of the federal/state permitting process ~~now underway~~ for the Newhall Ranch RMDP/SCP project. (See Specific Plan, May 2003, Section 5, pp. 5-1 through 5-33.)

Fourth, some comments suggest that the Mission Village project should not proceed until the Newhall Ranch RMDP/SCP project ~~is and~~ EIS/EIR are completed, because impacts, mitigation, or alternatives identified in the federal and state permit process for the RMDP/SCP project may affect the Mission Village project and possibly require design changes or revisions. However, the County considers these comments not as a basis for staying or deferring the Mission Village project, but rather as a description of the further federal and state environmental review process, which was contemplated when the Specific Plan was adopted. Stated differently, the County anticipates additional mitigation and possible design changes for the Mission Village project as a customary part of the on-going project-specific planning and environmental review process. ~~For example, as stated above, on December 3, 2010, CDFG certified the EIR portion of the EIS/EIR under its lead agency authority granted by CEQA, and issued the following final approvals:~~

- ~~1. Final Newhall Ranch Resource Management and Development Plan (December 3, 2010);~~

- ~~2. Final Spineflower Conservation Plan (December 3, 2010);~~
- ~~3. CDFG approved Master Streambed Alteration Agreement (Notification No. 1600-2004-0016-R5);~~
- ~~4. CDFG approved California Endangered Species Act Incidental Take Permit No. 2081-2008-012-05 (SCP spineflower);~~
- ~~5. CDFG approved California Endangered Species Act Incidental Take Permit No. 2081-2008-013-05 (RMDP multi-species);~~
- ~~6. CDFG approved CEQA findings (December 3, 2010);~~
- ~~7. CDFG approved California Endangered Species Act Findings (December 3, 2010);~~
- ~~8. CDFG approved Mitigation Monitoring and Reporting Plan and Appendices for the Newhall Ranch RMDP/SCP (December 3, 2010);~~
- ~~9. Final Addendum/Additional Information (November 2010); and~~
- ~~10. CDFG approved Notice of Determination and Decision (filed December 3, 2010).²~~

The County anticipates that, if the Mission Village project is approved, federal and state agencies may subsequently impose additional mitigation measures, which could result in design changes to the Specific Plan, including the Mission Village project area; however, such actions are part of the expected federal and state permitting process. Nothing precludes the two processes (local and federal/state) from proceeding concurrently. And, nothing precludes the local project-specific process from going “ahead” of the federal/state permitting process. Again, in this case, however, CDFG has indeed completed the EIR portion of the EIS/EIR under CEQA ahead of any possible County action on the Mission Village project.³ In any event, the processing of project approvals in phases from the general planning level to more specific construction proposals is neither new nor unique for complex, phased projects that are anticipated to be constructed over a period of several years.

Finally, County staff has confirmed that the Mission Village applicant is working with federal and state agency representatives, sharing project-specific data, and coordinating regularly on various Specific Plan-related planning and environmental issues, including the Mission Village project. In addition, County staff has confirmed CDFG's position with respect to the County proceeding with the Mission Village proposed project concurrently with the RMDP/SCP project. CDFG stated previously that the County is “the local land use authority with respect to the Specific Plan, the Mission Village project specifically, and all other county land,” and that “the County has plenary land use authority to proceed with its review of

² ~~For the specific documents memorializing CDFG's final approvals for the Newhall Ranch RMDP/SCP project, please see the Mission Village Final EIR, **Appendix F4.3**.~~

³ For the specific documents memorializing CDFG's final approvals for the Newhall Ranch RMDP/SCP project, please see the Mission Village Final EIR (May 2011), **Appendix F4.3**.

the Mission Village project at this or any other time.” (See Mission Village Final EIR, May 2011), Appendix F4.3 [CDFG letter to Los Angeles County, Samuel Dea, dated March 17, 2010, p. 2].) This letter indicates that the state agency processing the joint EIS/EIR does not object to the concurrent processing of the Mission Village proposed project, ~~as well as and~~ the RMDP/SCP project. ~~Again, CDFG also has completed the processing of the EIR portion of the EIS/EIR.~~

Indeed, the County prefers that these “sequencing” issues be left to the project applicant, and does not wish to regulate the manner in which an applicant desires to implement an approved plan, like the adopted Newhall Ranch Specific Plan. In addition, as part of the future processing ~~and implementation of~~ permits required to implement the Specific Plan (e.g., Corps 404 permit, CDFG Streambed Alteration Agreement, etc.), the County ~~will continue to consult~~ expects appropriate federal and state agencies to continue to be consulted, and as additional conditions or mitigation measures are identified, they will become part of the mechanisms implementing the overall program (i.e., Newhall Ranch Specific Plan).

RMDP/SCP Project and Associated EIS/EIR Update

The Draft EIS/EIR for the RMDP/SCP project was ~~publicly circulated~~ made available for public comment by the Corps and CDFG on April 27, 2009. (See Draft EIS/EIR, SCH No. 2000011025.) The EIS/EIR was prepared under both NEPA and CEQA to assess the environmental implications of implementing the proposed RMDP/SCP project. A summary of both the RMDP and SCP components of that project is included in the Mission Village Draft EIR, Section 4.3, p. 4.3-135. It also includes a detailed summary of the federal and state regulatory permitting process for the RMDP/SCP project.

The public comment period on the *Draft* EIS/EIR for the RMDP/SCP project began on April 27, 2009 and closed on August 25, 2009 (after an extension). During the comment period, a public hearing was held to provide the public with an opportunity to: (i) become more familiar with the proposed RMDP/SCP project and the alternatives under consideration; and (ii) provide oral and written comments on the Draft EIS/EIR. The comments presented to the Corps and CDFG at the hearing were recorded and entered into the public record. The meeting was held on June 11, 2009, at 6:30 PM, at Rancho Pico Middle School, located at 26250 West Valencia Boulevard, Stevenson Ranch, California.

The *Final* EIS/EIR for the RMDP/SCP project was released for additional public review/comment on June 18, 2010. This additional review period for the Final EIS/EIR began on June 19, 2010 and ended on August 3, 2010 (after an extension). The total public review period on the Final EIS/EIR was 45 days. County staff has been monitoring, ~~and will continue to monitor~~, the concurrent processing of both the Mission Village proposed project, ~~as well as and~~ the RMDP/SCP project. ~~On December 3, 2010, CDFG certified the EIR portion of the EIS/EIR and issued final approvals for the Newhall Ranch RMDP/SCP project, including a master streambed alteration agreement and two incidental take permits.~~

The RMDP/SCP Project Approvals

On December 3, 2010, CDFG took final action to certify the EIR portion of the joint EIS/EIR for the Newhall Ranch RMDP/SCP project, and to approve the Master Streambed Alteration Agreement under Fish & Game Code sections 1602 and 1605, and two Incidental Take Permits under section 2081 of the California Endangered Species Act (CESA). In addition, CDFG approved the applicant's "Resource Management and Development Plan" (December 3, 2010) and "Spineflower Conservation Plan" (December 3, 2010). CDFG also adopted CEQA findings, CESA findings, and a Mitigation Monitoring and Reporting Plan for the CDFG-adopted project. CDFG's approval documents are available for public review upon request to the County staff has noted that, Department of Regional Planning, or CDFG, and are incorporated by reference.

On June 7, 2011, the U.S. Department of the Interior, Fish and Wildlife Service (USFWS), issued a favorable "no jeopardy" Biological Opinion for the Newhall Ranch RMDP/SCP project. A copy of the USFWS Biological Opinion is found in the Mission Village Final EIS/EIR **Appendix F4.3(A)**.

In addition, on August 31, 2011, the Corps has identified the "draft approved the EIS portion of the joint EIS/EIR for the Newhall Ranch RMDP/SCP project, and issued its "Record of Decision," or ROD, approving the applicant's requested Clean Water Act section 404 permit. In conjunction with the Corps' issuance of the section 404 permit, the Corps identified the final "least environmentally damaging practicable alternative" (Draft-LEDPA) to the RMDP/SCP project. The Corps identified the Draft LEDPA after engaging in accordance with further coordination efforts with the applicant, the U.S. Environmental Protection Agency's (USEPA) Clean Water Act section 404(b)(1) Guidelines (40 C.F.R. Part 230-), and the Regional Water Quality Control Board (RWQCB).

As The final Newhall Ranch RMDP project (LEDPA), is a modified version of the Draft LEDPA, which was described further in the Final EIS/EIR, the Draft LEDPA is a modified version of Draft EIS/EIR Alternative 3 that includes (June 2010). The final LEDPA avoids permanent impacts to an additional avoidance 18.4 acres of waters of the United States along the Santa Clara River and tributaries, including 3.5 acres of wetlands in the middle reach of Potrero Canyon. Additionally, a small development area in San Martinez Grande Canyon will be relocated, allowing proposed bank stabilization to be constructed entirely in upland areas and thereby reducing temporary impacts to aquatic resources in San Martinez Grande by 0.5 acre. Based on input received from CDFG, the final LEDPA also provides increased spineflower preserve acreage in the Potrero, San Martinez Grande, Grapevine Mesa, and Airport Mesa areas, based on input received from CDFG, and, in part by adding two new spineflower preserves - the Magic Mountain and Spring preserves.

The final LEDPA also provides larger riparian corridors within five major tributaries. Under As with the Draft LEDPA, there would only be two of the three bridges crossing the Santa Clara River and the associated bank stabilization would be constructed (Commerce Center Drive Bridge and the Long Canyon Road Bridge). However, the Draft LEDPA, if approved, would not authorize construction of The Potrero Canyon Road Bridge. By not issuing a federal permit to construct Potrero Canyon Road bridge, the Draft LEDPA would reduce would not be authorized by the Corps for construction, reducing impacts to jurisdictional waters and wetlands in the Santa Clara River and lower Potrero Canyon.

In two major tributary drainages, Long Canyon and Potrero Canyon, portions of these existing drainages would be filled and modified so that there would not be a loss of Corps jurisdiction. In addition, a 19.3-acre wetland mitigation area would be established in lower Potrero Canyon, contiguous with the existing cismontane alkali marsh. In Long Canyon, most of the existing drainage would be modified and a new channel constructed that will replace the existing function and values; 5.24 acres would be used for project mitigation. The excess in Long Canyon will be available for permittee responsible mitigation for other Newhall projects or for mitigation banking under 33 C.F.R. Part 332. In the three other major tributary drainages, Lion Canyon, San Martinez Grande Canyon, and Chiquito Canyons, the Draft LEDPA project would incorporate limited channel grading to expand the drainages and adjacent riparian areas, stabilize the channel bed, and realign their banks. The lowermost portion of Chiquito Canyon would be permanently realigned. The remainder of the Corps' jurisdictional areas in Potrero, Lion, San Martinez Grande, and Chiquito Canyons would be avoided.

Overall, the Draft LEDPA also would result in final LEDPA would permanently fill approximately 47.9 acres of waters of the United States, which is 45.4 acres less than the originally proposed RMDP project and 18.4 acres less than the draft LEDPA. It would temporarily disturb 35.3 acres, which is 2 acres more than the originally proposed RMDP project and 3.1 acres more than the draft LEDPA. Of those impacts, 5.8 acres of permanent impacts impact and 15.7 acres of temporary impact to waters of the United States, when compared to the applicant's proposed RMDP/SCP project, would occur in the mainstem of the Santa Clara River. The remaining 42.1 acres of permanent impact and 19.6 acres of temporary impact to waters of the United States would occur in the tributary drainages within the Project area. Of the total 660.1 acres of waters of the United States present on the RMDP site, the LEDPA would avoid permanent or temporary impacts to approximately 87 percent (576.9 acres), compared to 80 percent avoidance under the proposed RMDP/SCP project and 85 percent avoidance for the draft LEDPA.

Implementation of the final LEDPA would permanently disturb 5.1 acres of wetlands, 15.4 acres less than the originally proposed RMDP project and 2.6 acres less than the draft LEDPA. The final LEDPA would temporarily disturb 11.8 acres of wetlands, approximately 0.6 acre more than the originally proposed RMDP project and 0.4 acre more than the draft LEDPA. These impacts are a subset of the total impacts to

waters of the United States described in the previous paragraph. In total, the final LEDPA would avoid permanent or temporary impacts to approximately 94 percent of the 276.9 acres of wetlands on site.

The mitigation associated with the ~~Draft~~final LEDPA ~~would ensure a no net loss of~~ will substantially increase the acreage of waters of the United States and functions/services and values of waters of the United States. ~~For purposes of CDFG's~~It would provide 114.04 acres of compensatory mitigation (creation and enhancement of jurisdictional areas), with a 2.4 to 1 mitigation ratio for permanent impacts to waters of the United States and a 6.9 to 1 mitigation ratio for permanent impacts to wetland waters of the United States. In addition, it would preserve and protect in perpetuity approximately 612.2 acres of waters that are not permanently impacted, including 271.8 acres of wetlands, and would place a restrictive covenant for flood protection on an additional 119 acres, consisting of approximately 89 acres of waters of the United States and 30 acres of adjacent upland floodplain area in the Santa Clara River immediately downstream of the RMDP area, as shown on Figure 20 and Figure 9, respectively, of the final Mitigation Plan (Dudek, August 2011). The ratio of preserved acres to permanently impacted acres of waters of the United States is approximately 14.6 to 1, and 53 to 1 for impacted wetlands. The final LEDPA also would comply with all of the mitigation measures required by CDFG under the streambed jurisdiction under alteration program created by Fish & Game Code section 1600, *et seq.*, the Draft LEDPA would reduce related jurisdictional impacts to the applicant's proposed RMDP/SCP project. The Draft LEDPA also would increase the acreage within the spineflower preserves, and result in a greater level of spineflower protection than the draft Spineflower Conservation Plan, with sections 1602 and 1605.

In addition, the final LEDPA will incorporate advanced low impact development (LID) measures, consistent with a LID Performance Standard that was developed based on consultation with the Corps, USEPA, and RWQCB.

By October 15, 2028, oil and gas wells located in areas scheduled for future protection under conservation easements or deed restrictions will be plugged and abandoned and surrounding areas remediated. Within 180 days after the section 404 permit is issued, the RMDP project will install suitable erosion control best management practices (BMPs) between those oil wells and the adjacent waters of the United States and maintain such BMPs in good working condition until the wells are abandoned and remediated

The final LEDPA is further described in the Corps' ROD, section 404 permit, its final section 404(b)(1) alternatives analysis, and the final Mitigation Plan (Dudek, August 2011), all of which are available upon request to the County Department of Regional Planning, or the Corps, Los Angeles District, Ventura Field Office, 2151 Alessandro Drive, Suite 110, Ventura, California, and incorporated by reference.

Potrero Bridge

As noted above, the Corps has approved the LEDPA without authorizing construction of the Potrero Canyon Road bridge; therefore, a question arises as to whether the traffic circulation would remain acceptable under the approved Specific Plan without the Potrero Canyon Road bridge. Section 4.5, Traffic/Access, of the Mission Village Final EIR (May 2011) has been revised to address this question. A summary of those findings is provided below.

Based on the analysis presented in the Mission Village Final EIR, Section 4.5, Traffic/Access, buildout of the Specific Plan, including Mission Village, can occur without the Potrero Canyon Road bridge, while still maintaining acceptable levels of service on area roadways. This is due primarily to the fact that the Potrero Canyon Road bridge was included as part of the Specific Plan circulation system for purposes other than maintaining acceptable levels of service; instead, its primary purpose was to facilitate access to SR-126, which is still provided by Commerce Center Drive bridge and Long Canyon Road bridge within the Newhall Ranch Specific Plan. Thus, the Potrero Canyon Road bridge is not essential to providing acceptable levels of service upon buildout of the Specific Plan, including Mission Village, and the absence of the bridge does not affect the results of the Mission Village traffic impacts analysis, including the identification of significant impacts, presented in Section 4.5.

Similarly, removal of the Potrero Canyon Road bridge would not result in increased preservation of occupied habitat and less loss when compared to the applicant's proposed RMDP/SCP project.

CDFG's final permitting action on December 3, 2010 included additional avoidance and minimization of impacts to jurisdictional impacts from that described in the June 2010 Draft LEDPA. Specifically, CDFG's final permitted project included two additional preserve areas in the Mission Village planning area and additional avoidance of riparian and wetlands resources in the lower and middle reaches of Potrero Canyon. In addition, the Corps has continued to evaluate and further minimize impacts to waters of the United States in response to comments received on the Final EIS/EIR for the Newhall Ranch RMDP/SCP project. Based on the supplemental analysis, and other relevant information, the Corps has considered the comments received on the Final EIS/EIR, and has conducted its own independent review of all available information in completing the Corps' final 404(b)(1) alternatives analysis, which will identify the final LEDPA. The final LEDPA is to be completed by the Corps and will be included in the Corps' Record of Decision. impacts relative to noise and air quality. Please see the Mission Village Final EIR (October 2011), revised **Section 4.6, Noise**, and revised **Section 4.7, Air Quality**, for the information supporting this finding.

Topical Response No. 2: Bankruptcy-Related Comments

The following provides a comprehensive response to those comments received on the Mission Village Draft EIR that generally question the bankruptcy or financial viability of the project applicant, The Newhall Land and Farming Company (Newhall).

Legal Overview and Response Summary

As a threshold legal matter, CEQA does not require that economic data be included in an EIR. (*CEQA Guidelines*, Section 15131.) “[A]n EIR is an *environmental* impact report. As such, it is an informational document, not one that must include ultimate determinations of economic feasibility.” (*San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 689, emphasis in original.) Nor is the financial status of a project applicant relevant evidence of a project’s feasibility. (*See Uphold Our Heritage v. County of Woodside* (2007) 147 Cal.App.4th 587, 599-600 [“CEQA should not be interpreted to allow discrimination between project applicants for an identical project based upon the financial status of the applicant.”].)

Nonetheless, the County will respond to the comments. As discussed below, the applicant has emerged from bankruptcy as a reorganized entity with the resources and financial flexibility to move forward with implementation of the Mission Village proposed project. Further, if the project is approved, the County would adopt a mitigation monitoring or reporting program, pursuant to Public Resources Code, section 21081.6, to ensure that the mitigation measures it has adopted to mitigate or avoid significant impacts of the project are implemented.

Bankruptcy Filing and Status

On June 8, 2008, LandSource Communities Development, LLC, owner of the applicant (Newhall), filed a voluntary petition for chapter 11 bankruptcy protection in the U.S. Bankruptcy Court for the District of Delaware in Wilmington. As a LandSource subsidiary, Newhall was included in the bankruptcy filing. The bankruptcy filing was brought about because LandSource was unable to reach agreement with its lenders on a plan to modify and restructure its debt, all of which occurred in conjunction with a dramatic, precipitous decline in real estate values in California and throughout the nation.

As background, chapter 11 is the business reorganization chapter of the Bankruptcy Code. It promotes equal treatment for similarly situated holders of claims and equity interests, subject to the distribution priorities prescribed by the Bankruptcy Code. Commencement of a chapter 11 case creates an estate that comprises all of the legal and equitable interests of the debtor as of the commencement of the case. The Bankruptcy Code provides that a debtor may continue to operate its business and remain in possession of its property as a debtor in possession (DIP). Consummating a plan of reorganization is the principal objective of a chapter 11 case.

A bankruptcy court's confirmation of a reorganization plan binds the debtor, any entity acquiring property under the plan, any holder of a claim or equity interest in a debtor, and all other entities as may be ordered by the bankruptcy court, to the terms and conditions of the confirmed reorganization plan.

Prior to soliciting acceptances of a proposed chapter 11 reorganization plan, the Bankruptcy Code requires a plan proponent to prepare a disclosure statement (Disclosure Statement). The statement is to contain information, in sufficient detail, to enable a hypothetical reasonable investor to make an informed judgment about acceptance of the chapter 11 reorganization plan. After a hearing, the bankruptcy court may approve, deny, or modify the disclosure statement as containing adequate information pursuant to the Bankruptcy Code. If approved, the proponent of the reorganization plan seeks bankruptcy court confirmation of the plan.

In early June 2009, Barclays Bank PLC, for itself and other banks and financial institutions, proposed amended joint chapter 11 plans for reorganization of LandSource and each of its affiliated debtors (Plan). Barclays also provided required disclosure statements, describing the Plan and providing creditors with the opportunity to review and vote on the proposed Plan. On July 20, 2009, after hearings, the Bankruptcy Court entered findings, conclusions, and an order confirming the Plan (Confirmation Order). This Confirmation Order confirmed the Plan as having satisfied the requirements of chapter 11 of the Bankruptcy Code, and authorized the debtors to implement the Plan effective July 31, 2009.

According to the approved Disclosure Statement, the Plan provides for the reorganization of LandSource and each of the debtor entities, with ownership of the reorganized debtors and their respective assets vesting in the applicable reorganized debtor, "free and clear of all claims, liens, charges, encumbrances, and interests of claims and interest holders," except as set forth in the Plan. As a result of the reorganization, LandSource has emerged from chapter 11 bankruptcy as "Newhall Land Development LLC."

Based on the approved Disclosure Statement and Plan, the new company (Newhall Land Development LLC) has working capital of more than \$90 million in cash and no debt on its beginning balance sheet, and it will have additional resources and financial flexibility necessary to focus on planning and developing the Newhall Ranch Specific Plan and the remainder of the existing Valencia community. Based on the bankruptcy-related documents, Newhall is backed by ownership consisting of a group of investment funds, along with Lennar Corp. (Lennar), and will be managed by Emile Haddad, the CEO of Five Point Communities Management, Inc. (Five Point), a newly formed management company jointly owned by Mr. Haddad and Lennar. Mr. Haddad resigned as Lennar's Chief Investment Officer to assume his new duties at Five Point.

Five Point will augment Newhall Land's existing management team, which has several years of combined real estate and land development experience. In summary, LandSource and Newhall are no longer in bankruptcy due to the successful reorganization.

The approved Disclosure Statement, the Plan, and the Bankruptcy Court's Confirmation Order provide additional technical information concerning the bankruptcy and the reorganization efforts. These documents are incorporated by reference and available for public review and inspection upon request at the County of Los Angeles, Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012.

Conclusion

As demonstrated above, the applicant has emerged from chapter 11 bankruptcy with the resources and financial flexibility necessary to move forward with development of the Mission Village proposed project. In addition, if the County certifies the EIR and approves the Mission Village project, then the County would also adopt a Mitigation Monitoring and Reporting Program (MMRP), which would ensure implementation, monitoring, and enforcement of all adopted mitigation measures. The adopted MMRP provides the County with adequate assurances that the applicant will be required under CEQA to implement the adopted mitigation measures, or not proceed with its project. At the final subdivision map stages, subdivision improvement agreements, bonds, and other adequate financial assurances also will be required to ensure performance of the mitigation adopted in conjunction with the project, if approved.

Updated Topical Response 4: Revised Project Design

1.0 Introduction and Revised Project Design Overview

On December 3, 2010, the California Department of Fish and Game (CDFG) certified the EIR portion of the Newhall Ranch Resource Management Development Plan and Spineflower Conservation Plan (RMDP/SCP) and the related Environmental Impact Statement/Environmental Impact Report (EIS/EIR). Concurrently, CDFG issued final approvals for the RMDP/SCP project, including a master streambed alteration agreement and two incidental take permits, one of which is specific to the San Fernando Valley spineflower (spineflower). (For detailed information regarding the RMDP/SCP project and its relationship to the Mission Village project, please see **Topical Response 1: Newhall Ranch RMDP/SCP Project and Associated EIS/EIR.**)

CDFG's issuance of the spineflower incidental take permit was based upon a Final SCP (2010) and the underlying preserve system design covering the applicant's land holdings in Los Angeles County (i.e., Newhall Ranch Specific Plan, Entrada, and Valencia Commerce Center). The Final SCP represents a modification to the preserve system design identified in the 2007 SCP, which served as the basis for the spineflower preserve described in the Mission Village Draft EIR. As the Final SCP (2010) is part of CDFG's approvals of the RMDP/SCP project and associated Final EIS/EIR, the County will approve the proposed Mission Village project only if it is consistent with the Final SCP (2010). Accordingly, the County directed the project applicant to submit a revised Vesting Tentative Tract Map (VTTM), ~~referred to herein as the "revised project,"~~ that, among other things, reflects expanded preserves for the spineflower and a smaller development footprint consistent with the CDFG-approved Final SCP (2010).

In response, the applicant revised the originally proposed ~~project~~ VTTM, which was analyzed in the Draft EIR, consistent with the County's direction and CDFG comments. ~~This Topical Response describes the revisions to the original project and the changes in environmental impacts that would result from the revised project.~~

The County also has asked that the applicant address the potential significant impacts on the environment of constructing and operating interim chloride reduction facilities to further treat Newhall Ranch project wastewater on an interim basis at the Valencia Water Reclamation Plant (WRP), if needed. In response to the County's directive, the applicant has refined the proposed project to accommodate both the revised VTTM and the interim chloride reduction facilities.

These refinements (i.e., the revised VTTM and the interim chloride reduction facilities), if approved by the County, would comprise the project revisions, or the "revised project," evaluated in this Topical Response. This Topical Response describes the revisions to the original project and then analyzes their

environmental effects (i.e., the changes in environmental impacts that would result from the revised project) to determine if they give rise to any new significant environmental impacts or result in a substantial increase in the severity of an environmental impact beyond those already evaluated in the Mission Village EIR (see *State CEQA Guidelines* Section 15088.5).

A. Project Land Use Revisions

While the boundary of the VTTM is unchanged and remains 1,261.8 acres in size, the revised project would result in a slight increase in the overall Mission Village project site from 1,854.6 acres to approximately 1,860 acres (a 5.4-acre increase) due to the addition of the interim chloride facilities.

Specific to the VTTM, Table TR4-1, Mission Village Revised VTTM Statistical Summary, provides a comparison of the original project Mission Village project VTTM (the subject of the Draft EIR) and the revised project VTTM (the subject of this topical response) by way of a land use statistical summary. The revised VTTM is shown on Figure F-3, Revised Vesting Tentative Tract Map. The revisions to the original project also are illustrated on Figure F-1, ~~Plant Communities at the Revised Mission Village Project Site~~, Project Boundary, and the revisions relative to the expanded spineflower preserves are shown on Figure F-2, Additional Spineflower Preserves at the Revised Mission Village Project Site, and Figure F-3, Revised Vesting Tentative Tract Map, below. A narrative summary of the key changes to the original project VTTM studied in the Draft EIR is provided below.

- **Residential Dwelling Units:** The total number of proposed residential dwelling units has decreased from 4,412 to 4,055, a decrease of 357 total units. The number of single-family units decreased by 31 from 382 to 351, and the number of multi-family units decreased by 326 from 4,030 to 3,704.
- **Development/Grading Footprint:** The size of the development/grading footprint on the project site has decreased ~~by 21~~ from 1,153.4 acres to 1,134.6 acres (a ~~21.8~~ approximately 1.6 percent decrease). The total amount of grading associated with the project has decreased by 1 million cubic yards, from 29.9 to 28.9 million cubic yards.
- **San Fernando Valley Spineflower Preserves:** The number of lots dedicated to spineflower preserves has increased from two to five. The total land area dedicated for preserves has increased from 65.6 to 85.8 acres. The additional spineflower preserves are depicted on Figure F-~~32~~, Additional Spineflower Preserves at the Revised Mission Village Project Site.
- **Oak Trees:** Under the original project, of the 564 trees protected by County Ordinance, 158 trees would be removed, 51 trees would be encroached upon, and 355 trees would not be

impacted. Under the revised project, the total number of trees to be removed would decrease by four from 158 to 154. The total number of trees to be encroached upon would increase by one from 51 to 52.

- **Open Space:** The revised project's total land area dedicated to open space-related land use categories, which includes parks, recreation areas, spineflower preserves, River area, and graded and ungraded lots, has increased from approximately 636 to 693 acres (approximately 57 acres, or approximately nine percent). This increased open space area includes the additional spineflower preserves (originally 65.6 acres with an increase of approximately 20.2 acres) ~~and, for a revised total of 85.8 acres~~; un-graded open space (originally 63.1 acres with an increase of 1.9 acres for a revised total of 65.0 acres); and graded open space (~~36~~originally 249.4 acres increased by 40.3 acres for a revised total of 287.8 acres). While the amount of River Corridor area has decreased by 4.4 acres, from 217.0 to 212.6 acres, the 4.4 acres is now located within one of the new spineflower preserves.

2. B. Wastewater Plan

Both the Mission Village Draft EIR and Landmark Village Recirculated Draft EIR described and analyzed each project's wastewater/sewer plan, including the routing of sewer lines and the delivery system to serve each project site within the approved Newhall Ranch Specific Plan. As stated in each EIR, the long-range plan is for the Newhall Ranch WRP to be constructed to serve uses within the Specific Plan area, and the new County sanitation district (i.e., Newhall Ranch County Sanitation District or NRSD) has been formed to implement the Newhall Ranch WRP, and to coordinate with the Santa Clarita Valley Sanitation District of Los Angeles County, or SCVSD, with regard to the establishment of the new Newhall Ranch sanitation district and its WRP and sewerage conveyance system. This coordination enables the County to verify that the Newhall Ranch development is consistent with the County's General Plan and Specific Plan buildout requirements. Part of this coordination involved Newhall entering into the Interconnection Agreement, dated January 9, 2002, with the Sanitation District Nos. 26 and 32, later consolidated as the SCVSD.⁴

⁴ A copy of the Interconnection Agreement is found in **Appendix F4.9** of the Mission Village Final EIR (May 2011).

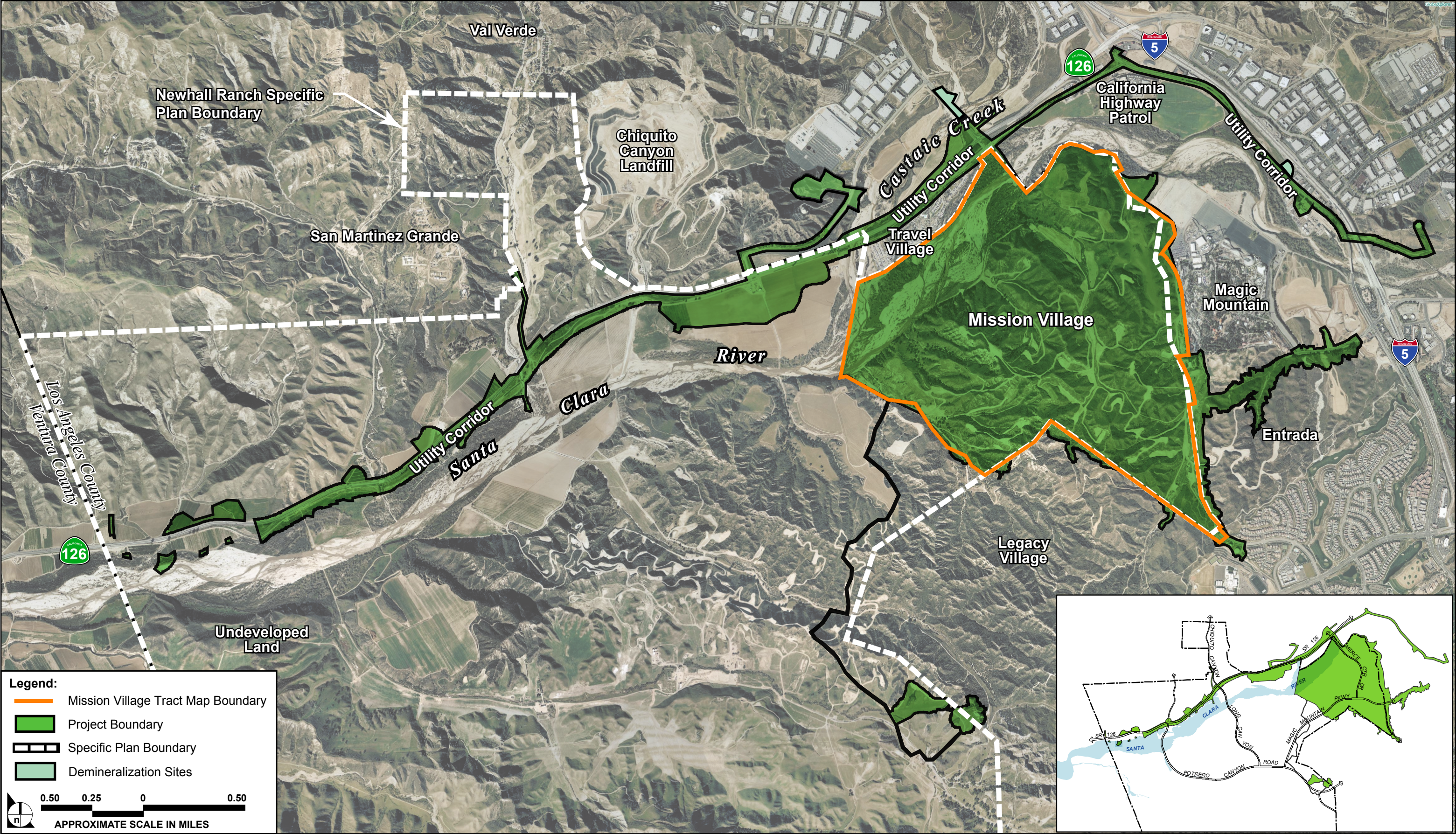


FIGURE F-1

Project Boundary/Environmental Setting

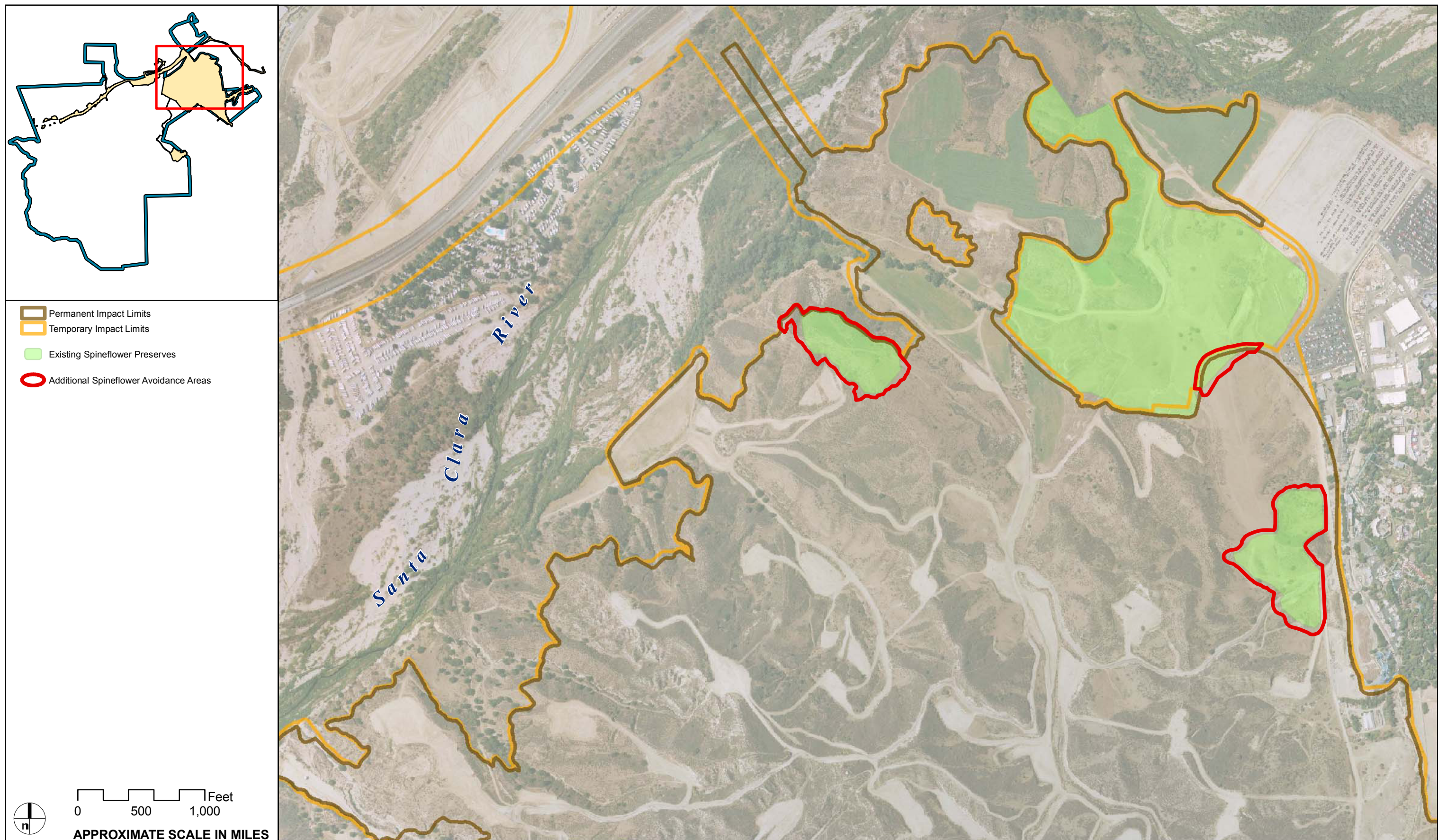


FIGURE F-2

Additional Spineflower Preserves at the Revised Mission Village Project Site



Legend:

— Vesting Tentative Tract Map Boundary



1500 750 0 1500

APPROXIMATE SCALE IN FEET

SOURCE: Impact Sciences, Inc. – April 2011

FIGURE **F-3**

Revised Vesting Tentative Tract Map

Table TR4-1
Mission Village Revised VTTM Statistical Summary

Land Use	Area (gross acres)		Lots		Lot Sizes or Square Footages		Total Units or Square Footage		Avg. Density (du/acre or FAR)	
	Original	Revised	Original	Revised	Original	Revised	Original	Revised	Original	Revised
Residential										
Single-Family	132.5	88.8	382	351	4,000/ 6,050/ 7,150	4,000/ 5,500/ 6,600	382 du	351 du	1-8.9	1-8.9
Multi-Family	210.7	211.6	38	38			4,030 du	3,704 du	4.7-55	4.7-55
Apartments/condominiums	32.4	22.1	5	5						
Continued Care Retirement Community	13.6	13.6	1	1						
Subtotal (Residential)	389.2	336.1	426	395			4,412 du	4,055 du		
Mixed-Use/Commercial	57.4	57.4	11	11			1,555,100 SF	1,555,100 SF	0.6 FAR	0.6 FAR
Elementary School	9.5	9.5	1	1						
Other										
Open Space										
River *	217.0	212.6	4	4						
Un-graded lots	63.1	65.0	10	12						
Graded lots	249.4	287.8	136	127						
Public Park (active)	26.1	26.8	2	2						
Private Recreation	14.7	14.7	4	4						
Spineflower Preserve	65.6	85.8	2	5						
Subtotal (Open Space)	635.9	692.7	158	154						
Library	3.3	3.3	1	1						
Fire Station	1.5	1.5	1	1						

Land Use	Area (gross acres)		Lots		Lot Sizes or Square Footages		Total Units or Square Footage		Avg. Density (du/acre or FAR)	
	Original	Revised	Original	Revised	Original	Revised	Original	Revised	Original	Revised
Bus Transfer Station	1.2	1.2	1	1						
Utilities	25.5	26.0	14	14						
Roads	138.3	134.1	48	43						
TOTAL	1,261.8	1,261.8	661	621			4,412 du 1,555,100 SF	4,055 du 1,555,100 SF		

Notes

* 4.4 acres previously identified as River are now included in the spineflower preserves.

The Interconnection Agreement sets conditions under which the first 6,000 dwelling units in Newhall Ranch may temporarily discharge wastewater to the Valencia WRP. The conditions include payment of the standard SCVSD connection fee (fair share of the cost of the existing infrastructure) and transfer of title of the 22-acre Newhall Ranch WRP site to the NRS. Newhall Ranch residents also would pay the SCVSD an annual service charge to cover the full cost of treating their wastewater at the Valencia WRP. Temporary treatment of wastewater at the Valencia WRP would not eliminate the need for the project applicant (Newhall) to construct the Newhall Ranch WRP. Prior to building more than 6,000 dwelling units, Newhall must construct the Newhall Ranch WRP to serve Newhall Ranch development and finance the new sewerage system. In addition, the Valencia WRP has the available capacity for temporary treatment of the Newhall Ranch wastewater (up to 6,000 dwelling units); thus, no negative impact to the CSD's sewerage system is expected.⁵

The Newhall Ranch Specific Plan Revised Draft EIR (March 1999) and the Revised Additional Analysis (May 2003) evaluated the environmental impacts related to development of the Specific Plan, including construction of the Newhall Ranch WRP to a project level and the new sewerage facilities at a programmatic level to serve the Specific Plan. The County is in the process of completing further CEQA compliance of the Newhall Ranch wastewater/sewer system at the project level for both Mission Village and Landmark Village in two pending project EIRs. Both the Mission Village Draft EIR and the Landmark Village Recirculated Draft EIR note that the environmental effects of constructing and operating the Newhall Ranch WRP at buildout were evaluated at the project-level in the prior certified Newhall Ranch Specific Plan environmental documentation. Both EIRs have identified options to treat wastewater generated by each project during the interim until the Newhall Ranch WRP is constructed. Specifically, both EIRs identified an option where wastewater would be pumped back to the existing Valencia WRP until such time as the first phase of the Newhall Ranch WRP is constructed. (See, e.g., Mission Village Draft EIR, Section 1.0, Project Description, pp. 1.0-69 through 1.0-70, and Section 4.9, Wastewater Disposal, pp. 4.9-10 through 4.9-12.)

As part of the project applicant's separate but related RMDP/SCP project, Newhall also has committed to constructing and operating, if needed, interim chloride reduction and demineralization facilities (proposed interim chloride facilities) to further treat Newhall Ranch project wastewater, until such time as the first phase of the Newhall Ranch WRP is constructed (i.e., up to 6,000 dwelling units per the terms of the 2002 Interconnection Agreement). The Newhall Ranch RMDP/SCP EIS/EIR, prepared jointly by

⁵ Moreover, the environmental implications of the build-out of the Valencia WRP to its capacity were assessed in the SCVSD's certified EIR for the 2015 Santa Clarita Valley Joint Sewerage System Facilities Plan, which is incorporated by reference and available at http://www.lacsd.org/info/publications_n_reports/wastewater_reports/final2015scv/default.asp or upon request to SCVSD.

CDFG and the U.S. Army Corps of Engineers (Corps), evaluated the proposed interim chloride facilities at a program level, stating that the project EIRs for Mission Village and Landmark Village would evaluate such facilities at the project level. This project-level analysis is provided in this topical response.

C. Interim Chloride Reduction and Demineralization Facilities

In response to the County's request, and consistent with the joint Newhall Ranch RMDP/SCP EIS/EIR, the project applicant (Newhall) is to construct proposed interim chloride reduction facilities that would be used to reduce chloride levels of Newhall Ranch's first 6,000 dwelling units of project wastewater by treating it at the Valencia WRP. This treatment would occur until such time as the first phase of the Newhall Ranch WRP is constructed. This interim coordination effort among the project applicant, the County, and SCVSD is consistent with the terms of the 2002 Interconnection Agreement. The chloride reduction would ensure that, during the period project wastewater is treated at the Valencia WRP, approximately 1.6 million gallons per day (mgd) of effluent generated by the first 6,000 dwelling units within Newhall Ranch would be at concentrations below 100 milligrams per liter (mg/L) for chloride prior to discharge to the Santa Clara River.

The proposed interim chloride facilities would be comprised of (1) a 1.2-acre demineralization facility to be constructed adjacent to the existing Valencia WRP; (2) a 1.6-acre brine disposal well facility located within the Valencia Commerce Center, north of Castaic Creek; and (3) associated lines to and from the Valencia WRP to be constructed in existing road rights-of-way primarily within the project's utility corridor. **Figure F-1, Project Boundary,** depicts the location of the proposed interim chloride facilities relative to the Mission Village project boundary.

Purpose. The purpose of the proposed interim chloride facilities would be to initiate chloride treatment of the effluent amount originating from Newhall Ranch (up to 6,000 dwelling units) at the Valencia WRP during the operation period of the 2002 Interconnection Agreement. The result is that the project effluent discharged to the Santa Clara River through the permitted Valencia WRP outfall would result in discharge equivalent to 100 mg/L chloride (or other applicable standard), which is the chloride effluent treatment standard under the Newhall Ranch WRP National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0064556, Order No. R4-2007-0046). This additional treatment process would remove chloride from the Newhall Ranch effluent at the Valencia WRP, so that the interim chloride reduction would be equivalent to that of the Newhall Ranch WRP under the Newhall Ranch WRP Permit (100 mg/L).

Description of Operations. During the interim period, project effluent would be treated at the Valencia WRP and then piped to the proposed demineralization site adjacent to the Valencia WRP for chloride

reduction using reverse osmosis (RO) or an equivalent process. Once the treated effluent is demineralized, it would be piped back to the Valencia WRP, blended with other treated effluent, and made ready for discharge at concentrations below 100 mg/L.

The brine byproduct of the chloride reduction process would be piped within the project utility corridor north along The Old Road, west on Henry Mayo Drive, and north on Commerce Center Drive to the brine disposal well facility, which would be located in the Valencia Commerce Center, north of Castaic Creek. The piping north of the utility corridor along Commerce Center Drive also would be installed within existing road rights-of-way. The piping needed to transport effluent from the demineralization facility to the injection wells would be sized to the satisfaction of the SCVSD.

Based on the regional stratigraphy and geology, the target injection zone for the brine would be in the upper Miocene and lower Pliocene Towsley Formation. This target zone is situated significantly below the Underground Source of Drinking Water (USDW), which would ensure that the injected brine would not migrate upward into the USDW. The brine disposal requires separate permitting with the U.S. Environmental Protection Agency (USEPA), Region 9, and the project applicant (Newhall) has submitted a revised Class I non-hazardous Underground Injection Control (UIC) permit application to USEPA for two injection wells to be utilized for disposal of brine for both the proposed interim chloride facilities and the RO system, which is part of the approved and permitted Newhall Ranch WRP.

The demineralization and related brine disposal facilities would be constructed on developed land, disturbed land, and California annual grassland. The demineralization site would be located in an enclosure with a maximum height of 20 feet. Energy usage at this site is estimated at a connected load of 200 horsepower (hp) and a yearly use of 700,000 kilowatts per hour (kWhr) per year for the site. Emergency generators (500 kW) would be required for this facility. Construction would take approximately six months once the pad is in place. Construction equipment would likely consist of a backhoe for pipe installation and a crane for equipment installation.

At the brine disposal facility, it is estimated that the injection wells would require approximately 300 hp per day, but may occasionally run higher to accommodate some increased injection pressures to overcome well inefficiencies or other head losses. Emergency generators (500 kW) would be required for the brine injection system. There are no atmospheric emissions from the wellheads.

For both the belowground (well drilling and testing) and aboveground (station) facilities combined, construction is estimated to occur over 12-18 months. A drill rig plus support vehicles, staging area, and construction trailers would be needed for construction activities.

2.0 Environmental Analysis of the Revised Project

The Draft EIR, Section 4.0, Environmental Impact Analysis, determined that implementation of the original Mission Village project would result in significant unavoidable impacts relative to biota, visual qualities, construction noise, air quality, solid waste services, and agricultural resources.⁶ The Draft EIR also determined that the original project would result in potentially significant impacts to several other environmental categories although these impacts would be reduced to levels below significant with mitigation.

Based on considerations of avoiding or substantially lessening the significant impacts identified under the original project, as well as consideration of the basic objectives of the project, public comments received in response to the Notice of Preparation (NOP), discussions with County staff, the public, and other public agencies, the Draft EIR included an assessment of five alternatives to the original project: (1) No Project/No Development Alternative; (2) No Project/Future Development Alternative; (3) Expanded San Fernando Valley Spineflower Preserve Alternative; (4) 20 Percent Reduction in the Number of Dwelling Units Alternative; and (5) Cluster Alternative. Each of these alternatives is addressed in Draft EIR, Section 5.0, Project Alternatives. Of the alternatives considered, Alternative 3, the Expanded San Fernando Valley Spineflower Preserve Alternative, would be the environmentally superior alternative because this alternative would entail the least amount of development and, correspondingly, the least amount of developmental impacts. This alternative also is environmentally superior in that it would increase the amount of area used for spineflower preserves.

a. Potential Impacts

The purpose of this additional environmental analysis is to assess both the project's proposed revisions to the Mission Village VTTM, which, among other design features, reflects expanded preserves for the spineflower and a smaller development footprint consistent with the CDFG-approved Final SCP (2010); and the project's proposed interim chloride facilities that would be used to reduce chloride levels of Newhall Ranch project wastewater during the operation period of the 2002 Interconnection Agreement.⁷ This evaluation is conducted below on an environmental category-by-category basis. However, before

⁶ Subsequent analyses have determined that the potentially significant biota and noise impacts would be reduced to a level below significant with mitigation and, therefore, the Draft EIR determination of significant and unavoidable impacts has been revised as to these two impact categories. Please see Final EIR, (May 2011), "Revised Draft EIR Pages," revised sections **Section F4.3, Biota**, and **Section F4.6, Noise**.

⁷ Temporary treatment of wastewater at the Valencia WRP would not eliminate the need for the project applicant (Newhall) to construct the Newhall Ranch WRP. Consistent with the 2002 Interconnection Agreement, prior to building more than 6,000 dwelling units within Newhall Ranch, Newhall must construct the first phase of the Newhall Ranch WRP.

this specific environmental analysis is conducted, this topical response first evaluates the interim use of the Valencia WRP, taking into account overall environmental and cost considerations. After this overall analysis, found in Subsection a., below, the topical response addresses potential significant impacts by each environmental category in Subsection b., below.

A. Interim Use of the Valencia WRP and Overall Environmental and Cost Considerations

As background, the wastewater generated by the first 6,000 dwelling units of the Newhall Ranch Specific Plan would be treated on an interim basis by the SCVSD at the existing Valencia WRP pursuant to the terms of the Interconnection Agreement. This Agreement was entered into on January 9, 2002, between Newhall and the former Los Angeles County Sanitation District Nos. 26 and 32 (now known as the SCVSD). Pursuant to that Agreement, Newhall and SCVSD currently plan for this wastewater to be treated on an interim basis by the SCVSD at the Valencia WRP, which option was described in the Mission Village Draft EIR.

Comments have questioned Newhall's interim use of the WRP and have expressed a preference that the wastewater be treated at the outset at the Newhall Ranch WRP by the NRSD. Comments have expressed this preference because the Valencia WRP operates under less stringent discharge standards for chloride than the Newhall Ranch WRP, and because the Valencia WRP has received administrative notices of violation from the Regional Water Quality Control Board (RWQCB), stating that SCVSD is out of compliance with its NPDES permit requirements.

In reply to such comments, this topical response will: (a) provide background information regarding the chloride Total Maximum Daily Load (TMDL) governing the Upper Santa Clara River; (b) summarize SCVSD's WRP permitting and operations; (c) assess the Newhall Ranch Specific Plan's interim use of the Valencia WRP; (d) summarize existing chloride concentrations at the Valencia WRP; (e) address cost implications for the interim discharges to the Valencia WRP; and (f) provide a summary of SCVSD's response to the administrative notices of violation from the RWQCB.

Chloride TMDL Background. The RWQCB protects groundwater and surface water quality in the Los Angeles region, including the coastal watersheds of Los Angeles County and Ventura County, along with very small portions of Kern County and Santa Barbara County. The RWQCB adopted chloride objectives for individual reaches of the Santa Clara River as part as the Water Quality Control Plan for the Los Angeles Region (Basin Plan). The chloride objectives were established on what were assumed to be background water conditions at specific locations within the reaches and also protection of the off-stream agricultural beneficial use.

Under section 303(d) of the Clean Water Act, states are required to develop lists of waters that do not meet water quality standards even after point sources of pollution have installed the minimum required levels of pollution control technology. The law requires that states develop TMDLs for these impaired waters. High levels of chloride in the Santa Clara River have caused listings for impairment, and chloride TMDLs have been developed and adopted into the Basin Plan.

- The RWQCB first adopted a TMDL for chloride in the Upper Santa Clara River in October 2002 (Resolution No. 2002-018). On May 6, 2004, the RWQCB amended the Upper Santa Clara River chloride TMDL to revise the interim wasteload allocations (WLAs) and implementation schedule (Resolution 04-004). The amended TMDL was approved by the State Water Resources Control Board (SWRCB), Office of Administrative Law, and U.S. Environmental Protection Agency (USEPA), and became effective on May 4, 2005.⁸ The chloride TMDL requires that chloride levels in WRP effluent not exceed 100 mg/L. However, at the time the TMDL was adopted, there were key scientific uncertainties regarding the sensitivity of crops to chloride and the complex interactions between surface water and groundwater in the Upper Santa Clara River watershed. The TMDL recognized the possibility of revised chloride water quality objectives (WQO) and included mandatory reconsiderations by the RWQCB to consider Site Specific Objectives (SSO). The TMDL required the County Sanitation Districts to implement special studies and actions to reduce chloride loadings from the Saugus and Valencia WRPs. Please see the Mission Village Final EIR (October 2011), **Topical Response 5: Chloride**, for additional information regarding these studies.

The TMDL special studies were conducted in a facilitated process in which stakeholders participated in scoping and reviewing the studies. This process resulted in an alternative TMDL implementation plan that addresses chloride impairment of surface waters and degradation of groundwater. The alternative plan, known as the Alternative Water Resources Management (AWRM) Plan (also known as the Alternative Compliance Plan or ACP), was first set forth by the Upper Basin water purveyors and United Water Conservation District (UWCD), the management agency for groundwater resources in the Ventura County portions of the Upper Santa Clara River watershed. A GWSI model predicted that the ACP could achieve proposed conditional SSOs for chloride under both drought and non-drought conditions. Please see the Mission Village Final EIR (October 2011), **Topical Response 5: Chloride**, for additional information regarding the ACP.

⁸ The chloride TMDL was approved by the RWQCB, SWRCB, Office of Administrative Law, and USEPA, and became effective on April 6, 2010.

As noted in the 2010 Urban Water Management Plan (UWMP), as adopted by Castaic Lake Water Agency (CLWA) and Newhall County Water District (NCWD) on June 22, 2011, despite the anticipated success of the ACP:

“Due to ratepayer concerns regarding the perceived high cost of the AWRM Program, the recommended wastewater rate increases to implement AWRM were not approved by the SCVSD Board. In response, SCVSD and the retail water purveyors have been exploring alternative approaches that could result in revisions to the TMDL. These evaluations are ongoing.” (2010 UWMP, p. 4-11.)

The County acknowledges the regional efforts made by RWQCB, SCVSD, and other agencies in responding to chloride concentrations in the Santa Clara River; however, the County considers these regional efforts to be beyond the scope of the project-level EIR for the proposed Mission Village project. The reason that such issues are beyond the scope of Mission Village and the related EIR is because the selection of a wastewater treatment plant and the ability of that treatment plant to meet its obligations to discharge water in compliance with Section 402 of the federal Clean Water Act will be determined in an arena separate from the County's consideration of whether to approve the Mission Village project. Further, the legal framework under section 402 of the Clean Water Act ensures that the entities obligated to provide wastewater treatment (County sanitation districts) will be subject to whatever NPDES permit requirements are necessary to achieve compliance with federal law.

Newhall will meet its obligations under the Los Angeles County-approved Specific Plan to fund required public facilities, including interim wastewater treatment facilities as needed to serve the Newhall Ranch Specific Plan. Regulation under the Clean Water Act, section 402, will ensure that all wastewater generated by the Newhall Ranch Specific Plan will be treated by the County-created sanitation districts that operate publicly owned treatment works (POTWs) under NPDES permits, which are consistent with the Basin Plan and applicable effluent limitations. These NPDES permits protect water quality. Enforcement of the NPDES requirements is not governed by the County's local land use approval process.

Nonetheless, as shown below, the County has made a good-faith effort to respond to the chloride-related comments utilizing the best available information, even though several of the comments address these broader regional chloride reduction efforts underway in the Upper Santa Clara River watershed.

SCVSD's WRP Permitting and Operations. As stated above, comments questioned how the project applicant (Newhall) plans to achieve compliance with the Clean Water Act for the interim treatment of the wastewater from the first 6,000 dwelling units of the Newhall Ranch Specific Plan. In response, the legal obligation to comply with the chloride TMDL lies with the holder of the NPDES permits that

authorize surface water discharge to the Santa Clara River, which, in this case, is either SCVSD or NRSD. They are the County entities that operate the POTWs, and they are responsible for complying with the NPDES permits and other water quality requirements for the POTWs. If the RWQCB determines that a permit holder is not complying with its permit conditions, it can employ a variety of enforcement tools, including corrective orders and fines. This Clean Water Act section 402 NPDES regulatory process is different from the County's local land use approval process, and the treated effluent from the Newhall Ranch Specific Plan development is governed by independent actions of County-created sanitation districts operating under the separate Clean Water Act section 402 NPDES permit process.

In addition, as discussed below, the SCVSD has made progress, and is continuing to make progress, in improving the chloride water quality discharged to the Santa Clara River since the chloride TMDL was adopted. The SCVSD has proposed a revised ACP that, if approved by the RWQCB, would maintain the chloride water quality objectives of the chloride TMDL.

The SCVSD discharges tertiary-treated wastewater to the Santa Clara River from both the Valencia WRP and the Saugus WRP, pursuant to Order No. R4-2009-0074 and NPDES Permit No. CA0054216 (Valencia WRP) and Order No. R4-2009-0075 and NPDES Permit No. CA0054313 (Saugus WRP), which were adopted by the RWQCB. The Valencia NPDES permit authorizes SCVSD to discharge up to 21.6 mgd of tertiary-treated wastewater from the Valencia WRP. The Saugus NPDES permit authorizes SCVSD to discharge up to 6.5 mgd of tertiary-treated wastewater from the Saugus WRP. Both permits set forth waste discharge requirements, including effluent limits, and a monitoring and reporting program that apply to the discharges of effluent from each facility. This effluent contains chlorides that can degrade water quality and impact beneficial uses of water under the Porter-Cologne Water Quality Control Act (Cal. Water Code, Section 13000, *et seq.*).

Both the Valencia and Saugus WRPs are part of the SCVSD's regional system that receives wastewater from the City of Santa Clarita and unincorporated areas of Los Angeles County. For example, the Valencia WRP serves an estimated population of 162,661.⁹

The SCVSD completed a detailed and comprehensive study of the sources of chloride loading in the Santa Clarita Valley.¹⁰ Subsequently, the RWQCB and SCVSD staff analyzed chloride sources in the

⁹ Los Angeles RWQCB, 2009. Fact Sheet for Order No. R4-2009-0074 (NPDES No. CA0054216), Waste Discharge Requirements for the Santa Clarita Valley Sanitation District of Los Angeles County, Valencia WRP Discharge to Santa Clara River.

¹⁰ Sanitation Districts of Los Angeles County, *Santa Clarita Valley Joint Sewerage System Chloride Source Report*, October 2002.

Upper Santa Clara River watershed.¹¹ These analyses utilized mass balance techniques to identify and quantify chloride loads from imported water and residential, commercial, industrial, and WRP sources.

These reports found that the chloride in Valencia WRP effluent is comprised of two main sources: (1) chloride present in the potable water supply; and (2) chloride added by residents, businesses, and institutions in the Valencia WRP service area. Potable water in the Santa Clarita Valley is derived from two sources: imported water delivered under the State Water Project (SWP) and local groundwater. The chloride concentration in these two sources varies depending on a number of factors, most notably rainfall patterns. The chloride concentrations in Santa Clarita Valley water supplies that include SWP water are variable. Chloride concentrations in Santa Clarita Valley water supplies ranged from 52 mg/L to 85 mg/L from 2002 to 2010.¹²

As to the chloride added by users, this load can be further divided into two parts: brine discharge from self-regenerating water softeners (SRWS) and all other loads added by users. Excluding chloride concentration in the water supply, non-SRWS sources of chloride include residential, commercial, industrial, infiltration, and wastewater disinfection. Based on the SCVSD's 2002 chloride source study, once this water was delivered to homes and businesses for interior use, the use of SRWS added an additional 78 mg/L of chloride concentration to the water supply before it was disposed of in the sewer for treatment. This high chloride addition suggested that source controls could be a significant means for improving water quality in the Santa Clara River.

Based upon the results of the 2002 study, the SCVSD adopted an ordinance prohibiting the installation and use of new SRWS in 2003. Further, SCVSD implemented Automatic Softener Rebate Programs in 2005 (Phase I) and 2007 (Phase II), followed by the 2009 Ordinance that required removal and disposal of all SRWS installed in the SCVSD's service area. These efforts have resulted in significant reduction of chloride generated by SRWS. Based on the SCVSD's "2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan," (November 2010), concentration of chloride produced by SRWS was 6 mg/L in the SCVSD final effluent in the first half of 2010. SCVSD's goal is to completely eliminate SRWS from the SCVSD's service area.

¹¹ Los Angeles RWQCB, 2008. Upper Santa Clara River Chloride TMDL Reconsideration, Conditional Site Specific Objectives for Chloride, and Interim Wasteload Allocations for Sulfate and Total Dissolved Solids Staff Report. November 24, 2008.

¹² Sanitation Districts of Los Angeles County, 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, November 2010, Table 3.9-2, p. 3-21.

Recently, however, Ventura County, Ventura County Agricultural Water Quality Coalition, and UWCD have expressed concerns to the RWQCB over a perceived lack of progress by the SCVSD for compliance with the chloride TMDL. The SCVSD has responded to those claims by letter to the RWQCB, dated May 9, 2011. A summary of the SCVSD's May 9, 2011 letter to the RWQCB, which provides responsive information concerning the SCVSD's compliance with the chloride TMDL and sets forth the SCVSD's progress to date since the chloride TMDL was adopted, is provided in the Mission Village Final EIR (October 2011), **Topical Response 5: Chloride**. The letter includes estimates and time frames for completion of the work necessary in devising a revised ACP; these efforts are ongoing. The RWQCB, nonetheless, has issued administrative notices of violation to SCVSD, contending that SCVSD is out of compliance with the requirements established by the adopted NPDES permits by not completing certain scheduled tasks specified in Attachment K to the permits. Both SCVSD and RWQCB have engaged in discussions to resolve the permit compliance issues, and those discussions are ongoing. Additional information regarding SCVSD's response to the RWQCB notices of violation is provided below.

SCVSD's Response to the Administrative Notices of Violation. The RWQCB has issued administrative notices of violation to SCVSD, focusing on the violation regarding the Valencia WRP. In response, as of May 27, 2011, the Los Angeles RWQCB issued administrative notices of violation to SCVSD regarding the Valencia and Saugus WRPs. The RWQCB notified SCVSD by letter that it was out of compliance with the requirements established in Order Nos. R4-2009-0074, R4-2009-0075 for not completing Task 17(a) in Attachment K of the Orders. Task 17(a) requires completion of the Wastewater Facilities Plan and programmatic EIR for facilities to comply with final permit effluent limits for chloride. RWQCB's letters stated that the SCVSD was to respond in writing by June 27, 2011.

On June 27, 2011, the SCVSD responded to the RWQCB. In the response, the SCVSD committed to completing Task 17(a) of the Upper Santa Clara River Chloride TMDL implementation schedule by recommending to its Board of Directors at the next regularly scheduled Board meeting that staff prepare a Wastewater Facilities Plan and EIR for facilities to comply with a final effluent chloride limit of 100 mg/L at the point of discharge and begin design of the facilities. On July 26, 2011, the SCVSD Board of Directors approved the staff recommendation authorizing preparation of the Wastewater Facilities Plan, EIR, and design of such facilities as it relates to compliance with the final effluent chloride objective of 100 mg/L at the Saugus and Valencia WRPs.

As part of the Wastewater Facilities Plan and EIR, SCVSD also intends to address an alternative compliance approach that responds to changed chloride conditions as of 2011, which would fully protect all designated beneficial uses in the Santa Clara River watershed. The SCVSD believes that these changed conditions will show that it is more environmentally and economically sound to implement an alternative compliance approach, rather than an advanced treatment approach, in meeting a 100 mg/L final effluent

limit. As part of this effort, the SCVSD also intends to perform the modeling and scientific and technical studies necessary to demonstrate the adequacy of its alternative compliance approach and to request reopening of the chloride TMDL at a later time based on the modeling in those studies.

In addition, the SCVSD contends that it has not violated California law (Water Code, section 13383) in failing to complete Task 17(a) in Attachment K of the Orders as asserted by RWQCB in the letter notices of violation. Nonetheless, the SCVSD's Board of Directors has committed to initiate efforts to complete a Wastewater Facilities Plan and EIR to comply with a final effluent chloride limit of 100 mg/L, and to begin design of such facilities. The SCVSD also estimates that it will complete the Wastewater Facilities Plan and EIR by December 31, 2012.

The Specific Plan's Interim Use of the Valencia WRP. At buildout, the Newhall Ranch Specific Plan was designed to send its wastewater to the Newhall Ranch WRP. However, Newhall and the Sanitation Districts Nos. 26 and 32 (later consolidated as the SCVSD) entered into an Interconnection Agreement, dated January 9, 2002, which sets conditions under which the first 6,000 dwelling units within the Specific Plan area may temporarily discharge wastewater (up to 1.6 mgd) to SCVSD's Valencia WRP. Newhall remains obligated to fund and construct the Newhall Ranch WRP for ultimate buildout of the Specific Plan. However, practical, technical, and economic reasons support this phasing for wastewater treatment, in coordination with the SCVSD.

From an environmental perspective, the Sanitation Districts Nos. 26 and 32 approved the Interconnection Agreement in duly noticed public meetings, and it has been referenced in subsequent official documents, including Los Angeles County and LAFCO resolutions supporting formation of the NRSD. Most recently, the County's January 2011 Resolution confirmed the formation of the NRSD. In doing so, the County's Board of Supervisors found that formation of the NRSD was within the scope of the previously certified 1999/2003 Newhall Ranch EIR, as well as the Addendum certified by the Board on December 13, 2005. The Board specifically referenced the Interconnection Agreement as allowing wastewater for up to 6,000 dwelling units to be treated at the existing Valencia WRP as needed prior to construction of the Newhall Ranch WRP. The Board further found that the SCVSD had sufficient capacity to accommodate the interim use of its facilities.

Moreover, the cost and environmental ramifications associated with the Valencia WRP's temporary treatment of wastewater generated by the first 6,000 dwelling units constructed within the Specific Plan area were addressed by the SCVSD's detailed memorandum, dated March 8, 2011, regarding this subject. As provided in that memorandum, the "Newhall Ranch wastewater ... would neither add to nor alleviate the SCVSD's financial burden to comply with the Chloride TMDL." (Memorandum, p. 2.)

As stated in the SCVSD's March 8, 2011 memorandum, the temporary use of the Valencia WRP for treatment of Newhall Ranch wastewater does not eliminate the Specific Plan requirement for the project applicant (Newhall) to construct the Newhall Ranch WRP and to finance the new sewerage system within the Specific Plan area. According to the memorandum, the developer (Newhall) must construct the Newhall Ranch WRP per the Specific Plan, and must have it operating properly before the next phase after Mission Village and Landmark Village (up to 6,000 dwelling units).¹³

Summary of Existing Chloride Concentrations at the Valencia WRP. Based on the best available information from SCVSD: (a) under the NPDES permits for the Valencia and Saugus WRPs, SCVSD is the entity responsible for compliance with the chloride TMDL, not the project applicant (Newhall); and (b) as explained below, the existing Santa Clarita Valley communities and Newhall Ranch are expected to produce similar chloride concentrations due to use and similar overall wastewater chloride concentrations, and since final compliance will be determined by concentration, the addition of Newhall Ranch wastewater to the Valencia WRP would neither add to nor alleviate the SCVSD's burden to comply with the chloride TMDL.

Based on the best available information, the SCVSD has completed a detailed and comprehensive study of the sources of chloride loading in the Santa Clarita Valley.¹⁴ Subsequently, the RWQCB and County Sanitation Districts staff analyzed chloride sources in the Upper Santa Clara River watershed.¹⁵ These analyses utilized mass balance techniques to identify and quantify chloride loads from imported water and residential, commercial, industrial, and WRP sources.

The Newhall Ranch Mission Village and Landmark Village projects are expected to produce wastewater chloride concentrations similar to those in the existing SCVSD service area. The Mission Village and Landmark Village projects will not use SWP water, but will be supplied with local groundwater from the Alluvial aquifer with an average chloride concentration of 82 mg/L (concentrations ranging from 74 to 96

¹³ Please refer to SCVSD's March 8, 2011 memorandum for additional responsive and relevant information on this subject, which is incorporated by reference and available for public review upon request to the County's Department of Regional Planning.

¹⁴ Sanitation Districts of Los Angeles County, *Santa Clarita Valley Joint Sewerage System Chloride Source Report*, October 2002. The year 2001 was used as a basis for the study.

¹⁵ Los Angeles RWQCB, 2008. Upper Santa Clara River Chloride TMDL Reconsideration, Conditional Site Specific Objectives for Chloride, and Interim Wasteload Allocations for Sulfate and Total Dissolved Solids Staff Report. November 24, 2008.

mg/L have been measured in E Wells),¹⁶ similar to the chloride concentrations in Santa Clarita Valley water supplies from 2002 to 2010.

As described in the Mission Village EIR, Section 4.8, Water Service, the project potable water demand would be met by the Valencia Water Company through the use of Newhall's rights to 7,038 acre-feet per year (afy) of groundwater from the Alluvial aquifer, which is presently used by Newhall for agricultural irrigation. In addition, due to project conditions, the amount of groundwater that will be used to meet the potable demands of the Newhall Ranch Specific Plan, including the Mission Village and Landmark Village projects, cannot exceed the amount of water historically and presently used by Newhall for agricultural uses. Therefore, no net increase in groundwater use will occur with implementation of this project pursuant to the Specific Plan.

If the Newhall Ranch WRP is not operating at the time of Mission Village and Landmark Village project occupancy, their non-potable water demand would be met through the use of recycled water from the Valencia WRP. Accordingly, the two proposed projects' water demand would be met by relying on two primary sources of water supply, namely, Newhall's agricultural water supplies and recycled water supplied by the Newhall Ranch WRP or the existing Valencia WRP. Because these two independent water sources meet the water needs of the proposed project, no potable water would be needed from the existing or planned water supplies of CLWA, including imported water from CLWA's SWP supplies.

Furthermore, Newhall is conditioned to prohibit "self-regenerating water softeners" in Newhall Ranch and SCVSD staff will recommend that the newly formed NRSD enact a ban similar to the water softener ban in Santa Clarita Valley. Thus, this significant source of chloride will not be present in the wastewater from the Mission Village and Landmark Village projects.

As shown in the Mission Village Final EIR, residential land uses will generate about 73 percent of the total wastewater generated and commercial land uses would generate the remaining 27 percent.¹⁷ Based on the chloride concentrations identified in the 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, the overall chloride concentration in the Mission Village and Landmark Village wastewater can be calculated as: (percent residential wastewater generated multiplied by residential concentration) + (percent commercial wastewater generation multiplied by commercial concentration) = total chloride concentration. The average chloride concentration in the Mission Village project's groundwater supply is approximately 82 mg/L,¹⁸ the non-SRWS residential chloride

¹⁶ Mission Village Draft EIR, Appendix 4.8 and Appendix 4.10.

¹⁷ See, Mission Village Final EIR (May 2011), **Section 4.9, Table 4.9-1, Mission Village Wastewater Generation.**

¹⁸ Mission Village Draft EIR, Appendix 4.8 and Appendix 4.10.

concentration is 31 mg/L above water supply concentration, and the commercial concentration accounts for 33 mg/L above the water supply concentration.¹⁹ Given these parameters, the concentration of chloride in the Mission Village and Landmark Village interim wastewater discharges to the Valencia WRP would be about 113 mg/L.²⁰ After consideration of the chloride concentration attributable to disinfection practices at the Valencia WRP (12 mg/L),²¹ the Valencia WRP effluent concentration of chloride treated Mission Village and Landmark Village wastewater would be approximately 125 mg/L.

In comparison, the average Valencia WRP effluent chloride concentration from 2000 through 2010 was 159 mg/L, with a maximum of 195 mg/L in 2003 and minimum of 128 mg/L in 2010.²² Thus, the interim discharge of wastewater from the Valencia WRP due to the Mission Village and Landmark Village projects' wastewater would have similar chloride concentrations (assuming complete elimination of SRWS from SCVSD's service area), or would lower chloride concentrations in discharges from the Valencia WRP (if SRWS are not completely eliminated).

Thus, the interim discharge of wastewater from the Valencia WRP due to the Mission Village and Landmark Village projects' wastewater would have a less than significant impact on chloride in the Santa Clara River, because: (a) the discharge of wastewater from the Valencia WRP has been demonstrated to be similar as between the Mission Village and Landmark Village projects' wastewater and the wastewater from existing Santa Clarita Valley communities; (b) the use of the Valencia WRP for treatment of Mission Village and Landmark Village wastewater (i.e., first 6,000 dwelling units) would be temporary until construction of the first phase of the Newhall Ranch WRP; and (c) the Valencia WRP has sufficient capacity to accommodate the interim wastewater discharge from the first 6,000 dwelling units from Newhall Ranch's Mission Village and Landmark Village projects (see below).

The Interconnection Agreement between SCVSD and Newhall allows for interim wastewater discharges from up to 6,000 dwelling units from the Newhall Ranch projects, which is equivalent to about 1.6 million gallons per day (mgd). Mission Village is projected to produce about 1 mgd and Landmark Village is projected to produce about 0.3 mgd, for a total of approximately 1.3 mgd, in the interim period before the first phase of the Newhall Ranch WRP is built. The Valencia WRP treated approximately 15 mgd in 2010

¹⁹ Sanitation Districts of Los Angeles County, 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, November 2010, pg. 3-14.

²⁰ $[0.76 \times (82 + 31)] + [0.24 \times (82 + 33)] = 113.0 \text{ mg/L chloride}$

²¹ Sanitation Districts of Los Angeles County, 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, November 2010, Table 3.9-2, pg. 3-21.

²² Data provided by SCVSD.

and currently has a capacity of 21.6 mgd (yielding 6.6 mgd of surplus capacity).²³ Thus, the Valencia WRP has sufficient capacity to accommodate the interim processing of up to 1.6 mgd as outlined in the Interconnection Agreement.

The design capacity and expectations for future expansion are based on studies of regional growth conducted by the SCVSD. Connection permits are only issued if there is sufficient collection and treatment capacity. The SCVSD²⁴ routinely monitors system capacity and anticipated development to ensure sufficient capacity for approved developments. According to recent SCVSD flow projections based on Southern California Association of Governments (SCAG) Regional Transportation Plan, 2008, the previously approved Stage VI expansion at the Valencia WRP is not expected to be needed until approximately 2021 and the site buildout capacity of 34.2 mgd is not expected to be reached until approximately 2033.²⁵ However, because Mission Village and Landmark Village wastewater will ultimately be treated at the Newhall Ranch WRP, the project is expected to have a less than significant impact on future expansion of SCVSD facilities.

The Valencia WRP currently delivers approximately 400 acre-feet per year of recycled water to the Valencia Water Company that is used by its customers for irrigation of the Westridge Golf Course, and slopes and parkway medians. The Mission Village and Landmark Village projects will also utilize recycled water from the Valencia WRP for landscape irrigation until the Newhall Ranch WRP is operational. The combined Mission Village and Landmark Village projects recycled water demand is projected to be 1,579 afy, in comparison to the combined wastewater generation rate of 1,456 afy (1.3 mgd), a surplus demand of approximately 123 afy. The use of Valencia WRP effluent for irrigation will reduce the amount of groundwater pumping required for water supply in addition to reducing the quantity of Valencia WRP discharges to the Santa Clara River.

Cost Implications for Interim Discharges to the Valencia WRP. Comments have questioned the costs of water infrastructure and the wastewater treatment process. While it is correct that the project applicant (Newhall) will fund these required services, the Mission Village EIR is not the forum for addressing such costs. The provision for the funding of these services does not itself create the prospect of a physical change to the environment and, therefore, is not an effect on the environment requiring analysis under

²³ See, e.g., Comment letter on the Mission Village (TTM 061105) Draft EIR from the County Sanitation Districts of Los Angeles County, dated November 17, 2010.

²⁴ SCVSD is a member of the Sanitation Districts and is the wastewater service provider for the City of Santa Clarita and some surrounding unincorporated county areas. SCVSD operates the Valencia WRP.

²⁵ Comment letter on the Mission Village (TTM 061105) Draft EIR from the County Sanitation Districts of Los Angeles County, dated November 17, 2010.

CEQA; consequently, this information is not required under CEQA. However, responsive information is provided below.

When operating at flows equal to or below the permitted plant capacity, compliance with the chloride TMDL will depend on the chloride concentration in the treatment plant effluent. Local groundwater is the planned potable water source for the Specific Plan's Mission and Landmark Villages, the two developments whose wastewater would be temporarily treated at SCVSD's Valencia WRP under the Interconnection Agreement. The groundwater chloride levels for these two communities are similar to that of the groundwater used by existing Santa Clarita Valley communities. Thus, no difference in chloride concentration is expected due to the water supply.

In addition, like the Santa Clarita Valley, Mission Village and Landmark Village will be a mixture of residential and commercial land uses with some industry. Historically, the use of "self-regenerating water softeners," or SRWSs, in the Santa Clarita Valley was a significant chloride source for SCVSD wastewater prior to the ban on SRWS. Since the ban, a significant portion of the SRWS have been removed resulting in a marked drop in chloride levels in the wastewater. SCVSD intends to continue enforcement/removal efforts until essentially all SRWS are removed. Pursuant to Specific Plan Mitigation Measure 5.0-52, Newhall must request that NRSD also ban SRWS within the Newhall Ranch Specific Plan area. SCVSD's staff has confirmed that they will recommend that the NRSD enact a SRWS ban similar to the ban adopted in the SCVSD service area. Consequently, the Mission Village and Landmark Village communities are expected to produce similar overall wastewater chloride concentrations to the chloride concentrations in wastewater from the Santa Clarita Valley. Since final compliance will be determined by concentration, the addition of Newhall Ranch wastewater to the Valencia WRP would not impact the SCVSD's compliance with the chloride TMDL, nor add to the SCVSD's financial burden or cost to comply with the chloride TMDL.

Temporary use of SCVSD's Valencia WRP for treatment of Mission Village and Landmark Village wastewater also does not eliminate the requirement for Newhall or its designee to construct the Newhall Ranch WRP or to finance the new sewerage system within the Specific Plan area. Newhall must construct the Newhall Ranch WRP and have it operational before constructing the next phase after Mission Village and Landmark Village (up to 6,000 dwelling units). Temporary treatment of Mission Village and Landmark Village wastewater at SCVSD's Valencia WRP is a practical engineering decision based on the need to build up an adequate steady flow of wastewater before starting up the Newhall Ranch WRP.

In addition, and as explained in this response, to confirm full and complete compliance with the chloride TMDL, Newhall has identified interim chloride reduction treatment at the Valencia WRP. This involves chloride treatment of the effluent amount originating from Newhall Ranch (up to 6,000 dwelling units) at

the Valencia WRP during the operation period of the 2002 Interconnection Agreement. The result is that the project effluent discharged to the Santa Clara River through the permitted Valencia WRP outfall would result in discharge equivalent to 100 mg/L chloride (or other applicable standard), which is the chloride effluent treatment standard under the Newhall Ranch WRP NPDES permit (NPDES No. CA0064556, Order No. R4-2007-0046). This additional treatment process would remove chloride from the Newhall Ranch effluent at the Valencia WRP, so that the interim chloride reduction would be equivalent to that of the Newhall Ranch WRP under the Newhall Ranch WRP Permit (100 mg/L).

B. Potential Significant Environmental Impacts

The following discussion evaluates and compares the potential significant environmental impacts of the original project with the impacts of the revised project by environmental topic category. The project assessed in the Mission Village EIR is referred to below as the “original project.” The “revised project” comprises the refinements made to the Mission Village revised VTTM and the interim chloride reduction facilities that would further treat the wastewater from Mission Village and Landmark Village, if needed, until such time as the first phase of the Newhall Ranch WRP is constructed.

(1) Geotechnical and Soil Resources

Implementation of the revised project would result in less grading because of the reduced development footprint on the Mission Village tract map site (graded acres would decrease by approximately 21.6 acres). A revised soils report has been prepared for the revised project, a copy of which is presented in Final EIR (May 2011) Appendix F4.1. As depicted in the report, grading associated with the original project had a total earthwork volume of 29.9 million cubic yards (MCY). In comparison, grading associated with the revised project would total 28.9 MCY; the difference is a reduction of 1 MCY due to the reduction in the development footprint. As to potential impacts, all improvements constructed on site as part of the revised project would be subjected to the forces of ground movement during seismic events similar to the original project, and would also be subject to the same construction requirements as the original project.

As to the interim chloride reduction facilities, most of the construction activities affecting geology/soils would occur within the existing road rights-of-way in the project’s utility corridor. The environmental effects of constructing the proposed utility corridor were addressed in the Mission Village Draft EIR, Section 4.0, Environmental Impacts Analysis. Given the very close proximity of the demineralization and brine disposal sites to the Mission Village project site, the geology and soils within both the demineralization and brine disposal sites are expected to be similar to the geology and soils in the immediate vicinity of the Mission Village project site, which was analyzed in the Draft EIR, Section 4.1,

Geotechnical and Soil Resources. The revised project, including the demineralization and brine disposal sites, also would be subject to the same mitigation measures (as applicable) as found in the Draft EIR, Section 4.1.

Nonetheless, because there would be fewer developed acres under the revised project than under the original project, and because the same mitigation in the EIR, Section 4.1, would apply to the revised project, geotechnical hazards would be reduced and, therefore, the revised project would result in fewer impacts than the original project with respect to geology and soils, and no new or more severe significant geological/geotechnical effects are expected to occur with implementation of the revised project.

(2) Hydrology

Implementation of the revised project would result in slightly less stormwater runoff and more infiltration than the original project because less area would be developed resulting in less impervious area and more open area. Also, it is likely the landscape irrigation needs of the revised project would be less than the original project due to less landscaped acreage. The urban runoff that is generated under the revised project would be conveyed and discharged into the Santa Clara River in a similar manner as the original project.

As to the interim chloride reduction facilities, most of the construction activities would occur within the existing road rights-of-way in the project's utility corridor. The environmental effects of constructing the proposed utility corridor were addressed in the Mission Village Draft EIR, Section 4.0, Environmental Impacts Analysis. The demineralization and brine disposal sites are relatively minor in size (1.2 and 1.6 acres, respectively), and would be designed to allow surface water to sheet flow from the two sites. The hydrology within both sites is expected to be similar to the hydrology requirements within the immediate vicinity of the Mission Village project site, which was analyzed in the Draft EIR, Section 4.2, Hydrology. The revised project, including the demineralization and brine disposal sites, also would be subject to the same mitigation measures (as applicable) found in the Draft EIR, Section 4.2.

Because there would be fewer developed acres under the revised project than under the proposed project, and because the same mitigation in the EIR, Section 4.2, would apply to the revised project, due to the reduced runoff, the revised project would result in fewer impacts from a hydrology perspective than the original project, and no new or more severe significant hydrology effects are expected to occur with implementation of the revised project.

(3) Water Quality

Under the original project or revised project, Project Design Features (PDFs) incorporated into the development to address water quality and hydrologic impacts would include site design, source control, treatment control, and hydromodification control Best Management Practices (BMPs). In addition, flow control BMPs would be incorporated into the PDFs to comply with the Los Angeles Countywide Standard Urban Storm Water Mitigation Plan (SUSMP).

In addition, Low Impact Development (LID) BMPs would be implemented as part of a LID BMP Implementation Plan that would retain runoff from the 0.75-inch water quality design storm. This LID BMP Implementation Plan will be conceptually similar to LID requirements in the recently adopted Ventura County MS4 Permit. On-site surface run-off would be intercepted in retention and/or biofiltration BMPs to the extent feasible, and excess runoff would be conveyed to a network of storm drains that lead to a series of regional infiltration/biofiltration facilities prior to discharge into the Santa Clara River.

Because the revised project would result in slightly less stormwater runoff than the original project (see Hydrology above), the revised project would result in fewer impacts than the original project from a water quality perspective. However, the recommended mitigation measures contained in the Draft EIR would reduce such impacts to less than significant under either scenario. For additional information regarding the water quality impacts of the revised project, please see **Topical Response 5: Water Quality** and Final EIR Section F4.22, Water Quality.

As to the interim chloride reduction facilities, most of the construction activities would occur within the existing road rights-of-way in the project's utility corridor. The environmental effects of constructing the proposed utility corridor were addressed in the Mission Village Draft EIR, Section 4.0, Environmental Impacts Analysis. The demineralization and brine disposal sites would be subject to the same water quality analysis and mitigation for the overall Mission Village project site. The water quality analysis was undertaken in the Mission Village Draft EIR, Section 4.22, Water Quality. The revised project, including the demineralization and brine disposal sites, also would be subject to the same mitigation measures (as applicable) found in the Draft EIR, Section 4.22.

The brine by-product injected into the wells situated on the brine disposal site would be subject to a Class I injection well permit, which is under consideration as part of USEPA's UIC program. No groundwater quality impacts are expected from the brine by-product injected into the wells because the target injection zone is well below the projected underground source of drinking water, or USDW. The placement of the

target injection zone would ensure that the injected brine by-product would not migrate upward into the USDW, thereby eliminating any significant impact to groundwater or its quality.

Thus, no new or more severe significant water quality effects are expected to occur with implementation of the revised project, because: (1) there would be fewer developed acres under the revised project than under the proposed project; (2) the same mitigation in the Draft EIR, Section 4.22, would apply to the revised project; (3) no significant groundwater quality impacts are expected from the injected brine by-product associated within the interim chloride reduction facilities due to the deep target injection zones; and (4) the brine by-product would be separately regulated pursuant to USEPA's UIC program, and thereby afford sufficient protection to the USDW due to the design, testing, and monitoring that would be provided as permit conditions under USEPA's UIC program.²⁶

(4) Biota

The potential significant impacts to biological resources under the original project as compared to the revised project are addressed below, with direct, indirect and unavoidable significant impacts addressed separately. The analysis provided below includes changes to biological resources as a result of both the revised setback from the Santa Clara River per the Mission Village revised VTTM, and the proposed interim chloride reduction facilities. Plant communities are depicted in Figure F-4, Plant Communities at the Revised Mission Village Project Site, and Figure F-2, Additional Spineflower Preserves at the Revised Mission Village Project Site.

(a) Direct Impacts

Plant Communities and Land Covers: Compared to the original project, the revised project would reduce permanent impacts to existing vegetation and land covers by 2418.8 acres (1,153.4 acres to 1,134.6 acres (or approximately 0.21.6 percent)). This decrease would be primarily within the upland vegetation communities. The reduction in permanent impacts under the revised project represents a decrease of 4.0 acre for California annual grassland, 16.2 acres for California sagebrush scrub, (379.1 acres reduced to 362.9 acres), 2.2 acres for California sagebrush – California buckwheat scrub, (73.2 acres reduced to 71.0 acres), 1.65 acres for Valley oak/grass, and (1.9 acres reduced to 0.74 acre), 0.5 acre of disturbed land, (225.2 acres reduced to 224.7 acres), and an increase of 1.6 acres for California annual grassland (53.3 acres to 54.9 acres). Temporary impacts associated with implementation of the expanded spineflower preserves would increase by 3.48 acres (339.7 acres (to 343.5 acres or approximately 0.01 percent) overall with the

²⁶ Newhall's revised USEPA Class I Injection Well Application, dated June 30, 2011, is incorporated by reference and is available for public review upon request to the County's Department of Regional Planning.

revised project, although these temporary impacts would be for upland vegetation communities. The temporary impacts for the revised project would include increases of 0.2 acre for Valley oak/grass-~~(0.30 acre to 0.2 acre)~~, 0.4 acre for California annual grassland-~~(12.8 acres to 13.2 acres)~~, 1.4 acres for California sagebrush scrub-~~(34.3 acres to 35.7 acres)~~, 0.8 acre for California sagebrush – California buckwheat scrub-~~(10.0 acres to 10.8 acres)~~, and 0.48 acre of disturbed land-~~(169.1 acres to 169.9 acres)~~.

Table TR4-2, Plant Community/Land Use Impact Summary, provides a detailed summary of the potential impacts to vegetation communities under the original project analyzed in the Draft EIR (see Draft EIR Table 4.3-8), as compared to the impacts to vegetation communities resulting from the revised project. **Figure F-4, Plant Communities at the Revised Mission Village Project Site**, depicts the plant communities at the project site.

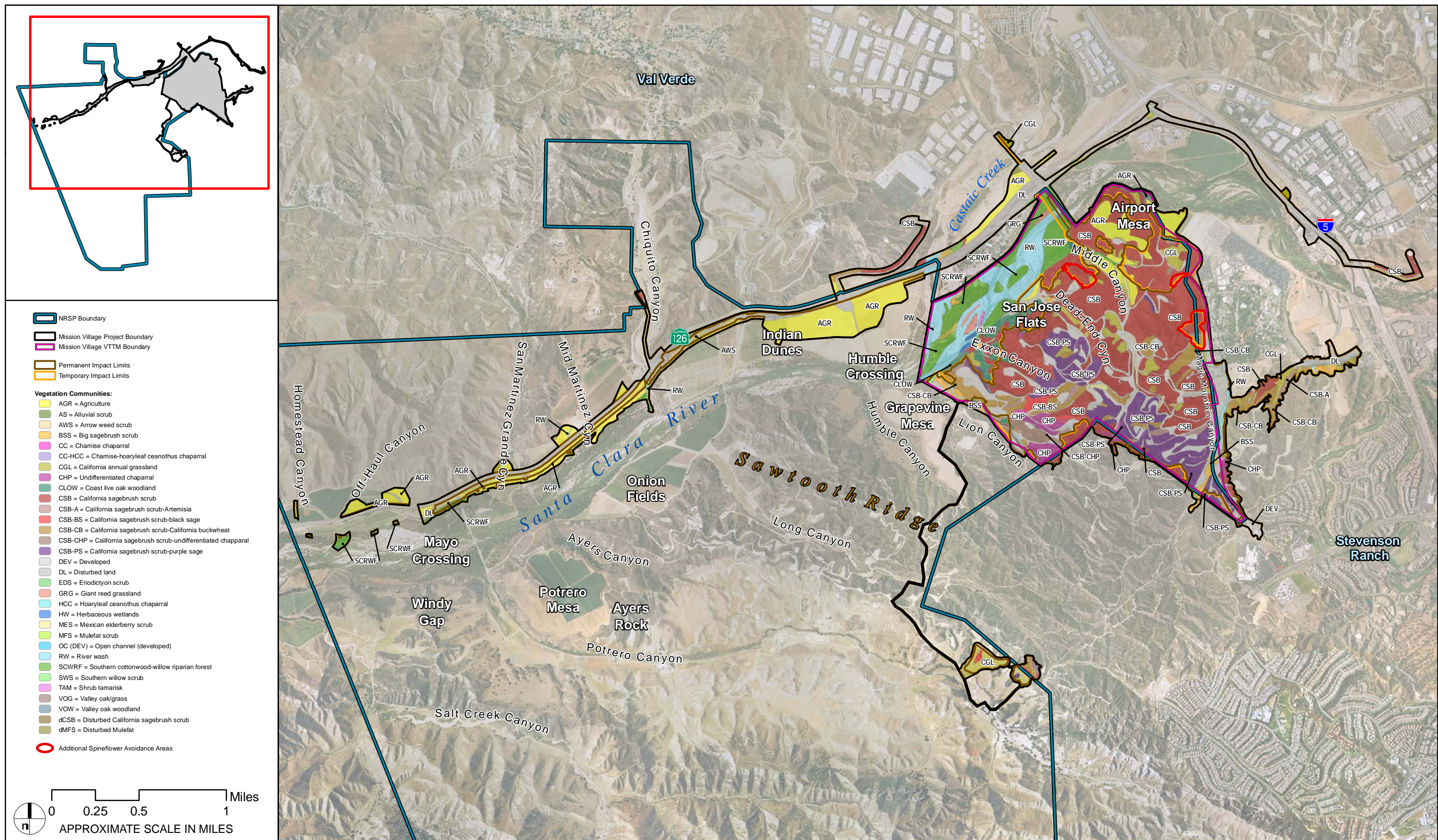


IMAGE SOURCE: DigitalGlobe 2007

FIGURE **F-4**

Plant Communities and Land Uses at the Revised Mission Village Project Site



Table TR4-2
Plant Community/Land Use Impact Summary

General Physiognomic and Physical Location	General Habitat Type	Floristic Alliance	Association	Total Acres Present	Acres Developed	Acres Developed (Reduced footprint Scenario)	Acres Temporarily Disturbed ¹	Acres Temporarily Disturbed ¹ (Reduced Footprint Scenario)	Total Acres Developed or Disturbed	Total Acres Developed or Disturbed (Reduced Footprint Scenario)	Percent Acres Developed or Disturbed	Percent Acres Developed or Disturbed (Reduced Footprint Scenario)
Grass and Herb Dominated Communities (40.000.00)	Non-Native Grassland (42.000.00)	California annual grassland (42.040.00)	Not mapped to association level	82.4 <u>85.1</u>	53.3	52.3 <u>54.9</u>	12.8	13.4 <u>2</u>	66.1	65.4 <u>68.1</u>	80 <u>78</u> %	80%
Scrub and Chaparral (30.000.00)	Coastal Scrub (32.000.00)	California sagebrush scrub (32.010.00)	Not mapped to association level	517.2	379.1	362.9	34.3	35.7	413.4	398.6	80%	77%
			California sagebrush– <i>Artemesia</i> (32.010.01)	16.1	14.8	14.8	1.3	1.3	16.1	16.1	100%	100%
			California sagebrush–purple sage (32.010.04)	132.9	124.7	124.7	2.2	2.2	127.0	127.0	96%	96%
		California sagebrush–black sage scrub (32.120.00)	California sagebrush–black sage (32.120.01)	12.9	11.9	11.9	1.1	1.1	12.9	12.9	100%	100%
		California sagebrush–California buckwheat scrub (32.110.00)	Not mapped to association level	84.7	73.2	71.0	10.0	10.8	83.2	81.8	98%	97%
		California Sagebrush – Undifferentiated Chaparral (32.300.00)	Not mapped to association level	15.5	12.6	12.6	1.3	1.3	13.9	13.9	90%	90%
		Disturbed California sagebrush scrub	Not mapped to association level	0.1	0	0	0.1	0.1	0.1	0.1	100%	100%
	Undifferentiated Chaparral Scrubs (37.000.00)	Not mapped to alliance level	Not mapped to association level	35.9	31.3	31.3	3.0	3.0	34.3	34.3	96%	96%

General Physiognomic and Physical Location	General Habitat Type	Floristic Alliance	Association	Total Acres Present	Acres Developed	Acres Developed (Reduced footprint Scenario)	Acres Temporarily Disturbed ¹	Acres Temporarily Disturbed ¹ (Reduced Footprint Scenario)	Total Acres Developed or Disturbed	Total Acres Developed or Disturbed (Reduced Footprint Scenario)	Percent Acres Developed or Disturbed	Percent Acres Developed or Disturbed (Reduced Footprint Scenario)
	Chamise with Chaparral (37.100.00)	Chamise Chaparral (37.101.00)	Not mapped to association level	2.6	2.5	2.5	0.1	0.1	2.6	2.6	100%	100%
		Chamise–hoaryleaf ceanothus chaparral (37.107.00)	Not mapped to association level	1.8	1.5	1.5	0.4	0.4	1.8	1.8	100%	100%
	Other Scrubs	Eriodictyon Scrub	Not mapped to association level	0.6	0.6	0.6	0	0	0.6	0.6	100%	100%
Broad Leafed Upland Tree Dominated (70.000.00)	Oak Woodland and Forest (71.000.00)	Coast live oak forest and woodland (71.060.00)	Coast live oak woodland (71.060.19)	31.7	4.4	4.4	3.4	3.4	7.8	7.8	25%	25%
		Valley oak forest and woodland (71.040.00)	Valley oak woodland (71.040.08)	2.3	0	0	0	0	0	0	0%	0%
			Valley oak/grass (71.040.05)	3.3	1.9	0.4	0	0.2	1.9	0.6	58%	17%
Riparian and Bottomland Habitat (60.000.00)	Other Riparian/Wetland	Herbaceous wetland	Not mapped to association level	4.0	0.4	0.4	1.2	1.2	1.6	1.6	40%	40%
		River wash	Not mapped to association level	115.1	9.7	9.7	10.0	10.0	19.7	19.7	17%	17%
		Alluvial scrub	Not mapped to association level	0.5	0	0	0.5	0.5	0.5	0.5	100%	100%
		Big sagebrush scrub (35.110.00)	Not mapped to association level	24.6	15.8	15.8	6.5	6.5	22.3	22.3	91%	91%
		Giant reed (42.080.00)	Not mapped to association level	5.6	0	0	0.1	0.1	0.1	0.1	2%	2%
	Low to High Elevation Riparian Scrub (63.000.00)	Arrow weed scrub (63.710.00)	Not mapped to association level	7.6	4.9	4.9	2.0	2.0	6.9	6.9	91%	91%
		Mexican elderberry scrub (63.410.00)	Not mapped to association level	5.8	5.3	5.3	0.3	0.3	5.6	5.6	97%	97%
		Mulefat scrub (63.510.00)	Not mapped to association level	1.8	0.5	0.6	1.2	1.2	1.8	1.8	100%	100%
		Disturbed mulefat scrub	Not mapped to association level	1.1	0	0	1.1	1.1	1.1	1.1	100%	100%

General Physiognomic and Physical Location	General Habitat Type	Floristic Alliance	Association	Total Acres Present	Acres Developed	Acres Developed (Reduced footprint Scenario)	Acres Temporarily Disturbed ¹	Acres Temporarily Disturbed ¹ (Reduced Footprint Scenario)	Total Acres Developed or Disturbed	Total Acres Developed or Disturbed (Reduced Footprint Scenario)	Percent Acres Developed or Disturbed	Percent Acres Developed or Disturbed (Reduced Footprint Scenario)
	Riparian Forest and Woodland (61.000.00)	Southern willow scrub (61.208.00)	Not mapped to association level	1.5	0.7	0.7	0.1	0.1	0.7	0.7	47%	47%
		Tamarisk scrub and woodland (63.810.00)	Shrub tamarisk (63.810.02)	1.1	0	0	0	0	0	0	0%	0%
		Fremont cottonwood riparian forest and woodland (61.130.00)	Southern cottonwood–willow riparian (61.130.02)	109.2	6.4	6.4	22.4	22.4	28.8	28.8	26%	26%
Man-Made Land Cover Types		Agriculture	NA	224.4	172.0	172.0	48.0	48.0	219.9	219.9	98%	98%
		Developed Land	NA	8.1	1.0	1.0	7.0	7.0	8.0	8.0	99%	99%
		Disturbed Land	NA	404.3 407.1	225.2	224.5 227.7	169.1	169.5 172.7	394.3	394.0 396.6	98 97%	97 96%
Total:				1,854.5860.0	1,153.4	1,131.8134.6	339.7	342.8343.3	1,493.1	1,474.6477.9	8180%	8079%

¹ Temporarily disturbed by bank stabilization, utility corridor, and/or haul roads, but would be revegetated to native vegetation or upland vegetation, where appropriate, following completion of construction

Jurisdictional Resources: The revised project would result in the same permanent and temporary impacts to U.S. Army Corps of Engineers (Corps) jurisdictional resources compared to the original project: 20.76 acres and 12.06 acres, respectively. The revised project would result in ~~the same~~ slightly increased permanent and temporary impacts to CDFG-only jurisdictional resources ~~as (2.52 acres and 13.28 acres, respectively) compared to the original project: (2.38 acres and 13.25 acres, respectively).~~

Wildlife Habitat Loss and Impacts to Common Wildlife and Special-Status Wildlife: As described above, the revised project would result in reduced permanent impacts to existing vegetation and land covers by ~~218.8 acres (1,153.4 acres to 1,134.6 acres (or approximately 0.21.6 percent)~~ 21.6 percent compared to the original project, although temporary impacts would increase ~~3.46 acres (339.7 acres to 343.3 acres or approximately 0.01 percent)~~ 3.46 acres (339.7 acres to 343.3 acres or approximately 0.01 percent) with the revised project due to implementation of the expanded spineflower preserves. Therefore, the revised project would result in similar, but slightly reduced permanent impacts and slightly increased temporary impacts to wildlife habitat, common wildlife, and special-status wildlife compared to the original project.

Buffers/Setbacks from Riparian Resources: The revised project would result in the same buffers/setbacks from riparian resources compared to the original project, resulting in a similar potential for indirect impacts on wildlife using the River corridor.

Wildlife Habitat Linkages: The original project would preserve the integrity of the Santa Clara River as a wildlife movement corridor and minimize impacts on local and regional wildlife movement by maintaining nearly all of the Santa Clara River floodplain and adjacent uplands as open space with a minimum width of about 1,000 feet. The revised project would result in similar impacts to the wildlife habitat linkages in the River corridor.

Special-Status Plant Species: Compared to the original project, the revised project would result in reduced impacts (0.4 acres) to slender mariposa lily (14.9 acres of cumulative occupied area compared to 15.3 acres), and decreased impacts to oak trees (154 removals for the revised project compared to 158 removals for the original project; 52 encroachments for the revised project compared to 51 encroachments for the original project); similar temporary impacts to the undescribed everlasting (up to 11 individuals); and decreased impacts to San Fernando Valley spineflower (1.82 acres of cumulative occupied area compared to 3.29 acres).

As described above, the revised project would reduce permanent impacts to existing vegetation and land covers by ~~218.8 acres (1,153.4 acres to 1,134.6 acres (or approximately 0.21.6 percent)~~ 21.6 percent compared to the original project, and temporary impacts would increase ~~3.46 acres (339.7 acres to 343.3 acres or approximately 0.01 percent)~~ 3.46 acres (339.7 acres to 343.3 acres or approximately 0.01 percent) with the revised project. Therefore, the revised project would result in

similar but slightly reduced impacts to Parish's sagebrush, mainland cherry trees, island mountain-mahogany plants, Southern California black walnut, and Peirson's morning-glory than the original project.

(b) Indirect Impacts

As described above, the revised project would reduce permanent impacts to existing vegetation and land covers by ~~21.6~~18.8 acres (or approximately 0.2 percent) compared to the original project, and temporary impacts would increase ~~3.4~~6 acres (0.01 percent) with the revised project. The setbacks along the Santa Clara River would be the same for the revised project and the original project, resulting in similar indirect impacts (e.g., night lighting, domestic animals and human trespassing, noise, etc.) to wildlife habitat, common wildlife, and special-status wildlife using the River corridor compared to the original project.

(c) Significant Unavoidable Impacts

The Draft EIR, Section 4.3, Biota, indicated that the original project would contribute to significant cumulative impacts to coastal scrub and the San Fernando Valley spineflower. At the direction of the County, and in addition to the project revisions described in this Topical Response, additional mitigation measures have been identified that would mitigate these cumulative impacts to less than significant levels. Please see the portion of the Final EIR (May 2011) entitled "Revised Draft EIR Pages," and specifically, revised Section 4.3, Biota, for the additional mitigation measures. As the revised project would result in fewer impacts to biological resources than the original project, the revised project would not result in significant unavoidable impacts to biota.

Because the revised project generally would result in fewer direct and indirect biota impacts when compared to the original project, because any increase in permanent impacts would be slight and temporary impacts would be limited in duration and nature, and because the same mitigation in the EIR, Section 4.3, Biota, would apply to the revised project to reduce the identified impacts to a level below significant, no new or more severe significant biota effects are expected to occur with implementation of the revised project.

(5) Floodplain Modifications

The revised project would not reduce the extent of floodplain modifications compared to the original project. The reduction in the total number of dwelling units on the site would not reduce impacts on sensitive aquatic/riparian resources in the Santa Clara River corridor as the revised project would not substantially affect flows, water velocities, water depth, changes in sediment transport, and changes in flooded areas when compared to the original project. Although the original project creates only minor

hydraulic effects, which are insufficient to alter the amount, location, and nature of aquatic and riparian habitats in the project area and downstream, as well as insufficient to impact sensitive riparian species, including the unarmored threespine stickleback, arroyo toad, California red-legged frog, southwestern pond turtle and two-striped garter snake, the revised project would result in similar impacts to the original project relative to floodplain modifications because it would result in similar hydraulic impacts.

As to the interim chloride reduction facilities, no significant floodplain modification impacts are expected because (1) most of the construction activities would occur within the existing road rights-of-way in the project's utility corridor, and the environmental effects of constructing the proposed utility corridor were addressed in the Mission Village Draft EIR, Section 4.0, Environmental Impacts Analysis; and (2) no flood protection is required for either the demineralization or the brine disposal sites.

Accordingly, no new or more severe significant floodplain modification effects are expected to occur with implementation of the revised project.

(6) Visual Qualities

Development of the project site under the revised project or the original project would be subject to Development Regulations and Design Guidelines contained in the Newhall Ranch Specific Plan. These regulations and guidelines address grading, lighting, fencing, landscaping, signage, architecture, and site planning for subsequent subdivisions within the Specific Plan area. Despite such features, under the original project, significant visual impacts would result from the change in the visual character of the site from rural to urban. As with the original project, the revised project also would significantly alter the visual characteristics of the Santa Clara River/SR-126 and I-5 corridors, as existing open space views would be replaced with the images of residential development, roadways, and other human activity.

Additionally, development under either the original project or the revised project would introduce sources of outdoor illumination that do not presently exist. Outdoor lighting, such as streetlights and traffic signals, are essential safety features in development projects that involve new streets and intersections, and cannot be eliminated if the site is to be developed.

As to the interim chloride reduction facilities, most of the construction activities affecting visual resources would occur within the existing road rights-of-way in the project's utility corridor. The environmental effects of constructing the proposed utility corridor were addressed in the Mission Village Draft EIR, Section 4.0, Environmental Impacts Analysis. In addition, both the demineralization and brine disposal sites are surrounded by existing or planned development; therefore, no significant visual impacts are associated with either site. The sites themselves are relatively small in size (1.2 and 1.6 acres, respectively). The demineralization site also would be in the immediate vicinity of the existing Valencia

WRP, and would border the I-5 corridor. The brine disposal site would be located in the Valencia Commerce Center, which is partially constructed and occupied, and the well facilities located within that site would be housed in an enclosure within the existing Commerce Center site. Lastly, the brine disposal site would be located northeast of and immediately adjacent to Commerce Center Drive, and north of the Castaic Creek. Commerce Center Drive is a major arterial roadway.

In conclusion, the revised project would result in similar impacts to the original project relative to visual qualities. Thus, no new or more severe significant visual effects are expected to occur with implementation of the revised project.

(7) Traffic and Access

Implementation of the revised project would reduce the number of vehicle trips generated by on-site uses when compared to the original project due to the reduction in the number of dwelling units that would be built. Specifically, average daily trip generation for the original project is estimated at 58,452 trips. In comparison, the revised project would generate approximately 55,895 trips, resulting in a reduction of 2,557 trips when compared to the original project (a 5 percent reduction in traffic trips). (See Final EIR (May 2011) Appendix F4.5, Technical Memorandum, *Mission Village Revised Project Trip Generation Estimates*, Austin-Foust Associates, Inc. (March 8, 2011).) Under either the revised project or the original project, the proposed project would represent a balanced land plan that contains neighborhood-serving commercial uses that are connected to the residential areas by paseos and trails, thereby promoting alternative means of travel and keeping many vehicle trips internal to the project site and vicinity.

As to the interim chloride reduction facilities, most of the construction activities affecting traffic would occur within the existing road rights-of-way in the project's utility corridor. The environmental effects of constructing the proposed utility corridor were addressed in the Mission Village Draft EIR, Section 4.0, Environmental Impacts Analysis, and the overall traffic effects of the Mission Village project site were analyzed in the Draft EIR, Section 4.5, Traffic/Access. While both the demineralization and brine disposal sites are expected to draw traffic trips, those trips would be limited to temporary construction trips and intermittent facility maintenance trips and, therefore, would be limited in number and frequency and less than the total traffic trips projected under the proposed project.

Because the total number of vehicle trips under the revised project would be lower than under the original project, the revised project would result in fewer impacts than the original project with respect to traffic. Thus, no new or more severe significant traffic effects are expected to occur with implementation of the revised project.

(8) Noise

Under either the revised project or the original project, development of the property would involve clearing and grading of the ground surface, installation of utility infrastructure, and the building of the proposed improvements. These activities typically involve the temporary use of heavy equipment, smaller equipment, and motor vehicles, which generate both steady static and episodic noise. This noise would primarily affect the occupants of on-site uses constructed in the earlier phases of the development (assuming that the site is occupied in sections as other portions are still under construction), as well as residents of the off-site Westridge development, resulting in potentially significant impacts that would be mitigated to a level below significant. While this construction activity noise could be audible to occupants of Travel Village when construction activities would occur on the northwestern portion of the site, the increased noise levels would not exceed the applicable thresholds of significance and, therefore, would not result in significant impacts.

Daytime pile driving in the Santa Clara Riverbed, should it occur during the construction of the proposed Commerce Center Drive Bridge, would be audible to occupants of on-site uses constructed prior to the bridge, and to the occupants of Travel Village and nearby non-residential uses, including visitors and employees of Magic Mountain Theme Park. When utilizing conventional equipment, and assuming no attenuation by terrain, structures or vegetation, the potential range of significant noise impacts for noise sensitive receptors from this activity would be approximately 4,000 feet, and would occur for a period of approximately 9 to 12 months during the latter phases of project construction. Noise-sensitive receptors on the site within this 4,000-foot range could include persons that would reside in apartments, condominiums, and single-family residences constructed prior to the bridge. Off-site sensitive receptors within this 4,000-foot range would include occupants of the eastern half of Travel Village. Pile driving noise impacts on future residents of Landmark Village, should Landmark Village be constructed before the Commerce Center Drive Bridge, would be less than significant. Because project construction activities (i.e., pile driving) could cause noise levels at nearby existing and future receptors to exceed the Noise Ordinance standards, construction noise impacts are considered significant without mitigation. These impacts were identified in the Draft EIR as significant and unavoidable. However, at the Planning Commission's request, the applicant conducted additional analysis and review, and determined mitigation is available that would reduce the identified impacts to a level below significant. Accordingly, revised mitigation is included that, in lieu of conventional pile driving equipment, requires the use of pile drilling techniques or hydrohammer pile driving equipment with noise reduction, or an alternative methodology that would provide the equivalent noise level reductions, which would reduce noise levels substantially. With mitigation, potential noise impacts attributable to pile-driving activities would be reduced to a level below significant with both the original project and the revised project. As to vibration

impacts, vibration from the pile driving would result in potentially significant impacts to locations within 500 feet of the activity. These impacts were identified in the Draft EIR as significant and unavoidable. However, mitigation is included to ensure that vibration-related impacts are less than significant. Because the same mitigation in the EIR Section 4.6 would apply to the revised project, for this reason, the revised project would result in similar impacts to the original project with regard to construction vibration.

With respect to operational impacts, under either the revised project or the original project, building occupants would be subject to traffic noise along off-site and internal roadways, noise from Magic Mountain Theme Park, as well as noise from day-to-day activities at the site. However, as the number of traffic trips would be slightly less than the original project, roadway noise levels and associated impacts would be slightly reduced under the revised project.

Relatedly, because the revised map results in a re-numbering of some of the lots, the five lots identified in the Draft EIR as significantly impacted by traffic along Commerce Center Drive and Magic Mountain Parkway would change from Lots 85, 86, 87, 468 and 512 (single-family residences, apartment/condominiums and residential/commercial), to Lots 561, 562, 563, 564, and 512 (single-family residential and residential/commercial) under the revised project. Lots 85, 86, and 87 now front on open space and would no longer be significantly impacted, Lot 468 (formerly apartment/condominium) is now included within one of the expanded spineflower preserves, and Lot 512 is unaffected and addressed by mitigation measure MV 4.6-8.

To address the change from the impacted lots along Commerce Center Drive from Lots 85-87 to Lots 561-564, Draft EIR Mitigation Measure MV 4.6-5 is revised as follows:

MV 4.6-5 To mitigate the noise impacts on Lots ~~85, 86, and 87~~ 561, 562, 563 and 564 (Area A2) (single-family residential) that back onto Commerce Center Drive from traffic on the proposed Commerce Center Drive extension through the site, the project applicant shall, prior to occupancy, construct a 5-foot solid wall along the rear lot lines of these lots. The wall may be constructed of 3/8 or 5/8-inch Plexiglas or other material of similar acoustic performance, and shall be continuous with no breaks or gaps.

As to Lot 468, under the original project, Lot 468 was designated for apartment/condominium use. However, under revised VTTM No. 61105, the spineflower preserves were expanded and now include Lot 468. Draft EIR Mitigation Measure MV 4.6-6 addresses significant impacts to Lot 468. As Lot 468 no longer includes sensitive receptors and would no longer be significantly impacted by project noise, Mitigation Measure MV 4.6-6 is no longer necessary.

The demineralization site would generate noise levels of approximately 80 decibels and emergency generators would generate noise levels at approximately 90 decibels. However, the demineralization

equipment would be located in an enclosed facility, which would reduce projected noise levels by approximately 15 decibels. The site also would be proposed adjacent to the I-5/Rye Canyon off-ramp, adjacent to The Old Road and the Valencia WRP. The Old Road is major, arterial roadway providing a secondary north-south access route in addition to I-5. No noise sensitive uses are in the vicinity of the site. In addition, the traffic from the I-5 freeway and The Old Road would be expected to generate noise levels in excess of those generated from the demineralization site.

The brine injection pumps would have noise levels of approximately 85 decibels. The pumps would be located inside an enclosure, which would reduce projected noise levels by approximately 15 decibels. Nearby uses are industrial and do not contain any noise sensitive uses. In conclusion, operational noise impacts under both the original project and the revised project would be mitigated to levels less than significant. Thus, no new or more severe significant noise effects are expected to occur with implementation of the revised project.

(9) Air Quality

Under the revised project, because the development footprint would be reduced slightly in size, short-term grading and construction-related air quality impacts would be slightly reduced as compared to those of the original project. While the total number of construction days would likely be reduced in proportion to the reduction in graded area, because the length of grading time per day would likely not decrease (just the *total number* of construction days), receptors would still be exposed to the same amount of daily emissions.

Long-term (i.e., operational) air quality impacts under the revised project would also be reduced when compared to the original project, as the number of operational traffic trips would be reduced by approximately 5 percent primarily because of the change in residential unit mix (i.e., fewer single-family units and more multi-family units). This would slightly reduce air emissions by approximately 5 percent per day compared to the original project. Both the original project and the revised project would result in the exceedance of South Coast Air Quality Management District (SCAQMD) air quality thresholds in the summertime for Carbon Monoxide (CO), Volatile Organic Compounds (VOC), and Oxides of Nitrogen (NO_x). Wintertime emissions also would result in the exceedance of air quality thresholds for CO, VOC, Particulate Matter (PM₁₀) and NO_x. ~~Nonetheless,~~

The proposed project would require two 500-kilowatt (kW) emergency generators to operate the demineralization and brine injection equipment in the event of a power loss. The emergency generators would result in emissions of volatile organic compounds (VOCs), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur oxides (SO_x), respirable particulate matter (PM₁₀), and fine particulate matter

(PM_{2.5}). These criteria air pollutants would be emitted during intermittent emergency operations and as part of routine intermittent maintenance and testing.

The emissions associated with the emergency generators are presented in **Table TR4-3, Estimated Emissions from Two 500 kW Emergency Generators**. The emissions assume that each generator would operate for 1 hour in a day for maintenance and testing once per week and would comply with South Coast Air Quality Management District (SCAQMD) Best Available Control Technology (BACT) requirements.

Table TR4-3
Estimated Emissions from Two 500 kW Emergency Generators

<u>Phase</u>	<u>Criteria Pollutants in Pounds per Day / GHGs in MTCO₂e</u>						
	<u>VOC</u>	<u>NO_x</u>	<u>CO</u>	<u>SO_x</u>	<u>PM₁₀</u>	<u>PM_{2.5}</u>	<u>GHGs</u>
<u>Two 500 kW Emergency Generators</u>	<u>0.44</u>	<u>8.43</u>	<u>7.69</u>	<u>0.00</u>	<u>0.44</u>	<u>0.44</u>	<u>35.36</u>

Source: Impact Sciences, Inc., (2011).

Even with the emissions outlined in **Table TR4-3**, above, air quality emissions of the revised project would be less than the proposed project. Detailed air emissions calculations are found in **Appendix F4.7(A)** of the Mission Village Final EIR (October 2011).

Both the original project and the revised project would result in SCAQMD air quality thresholds being exceeded in the summer and winter for Carbon Monoxide (CO), Volatile Organic Compounds (VOC), Oxides of Nitrogen (NO_x), and Fine Particulate Matter (PM₁₀), including respirable particulate matter PM_{2.5}.

Nonetheless, because there would be fewer developed acres under the revised project than under the proposed project, because the same mitigation in the EIR, Section 4.7, Air Quality, would apply to the revised project, and because the revised project would generate slightly less vehicular air emissions than the original project, the revised project would result in fewer impacts to air quality than the original project, and, as a result, no new or more severe significant air quality effects are expected to occur with implementation of the revised project.

(10) Water Service

The original project would generate a potable water demand of approximately 1,676 acre-feet per year (afy) and a non-potable demand of 1,243 afy. Potable water would be supplied to the project by the Valencia Water Company from local groundwater supplies. Non-potable water would be provided to the project by either the Newhall Ranch Water Reclamation Plant (WRP) or the Valencia WRP on an interim basis.

In comparison, the potable water demand for the revised project would be 1,531 afy and the non-potable demand would be 1,274 afy, which represents a decrease in potable water demand of 145 afy, and an increase in non-potable water demand of 31 afy when compared to the original project. The decrease in potable water demand is primarily due to the change in the mix of residential units and reduction in the total number of residential units. The increase in non-potable demand is attributable to an increase in the acreage of land uses that have an increased demand for common area irrigation when compared with the original project. Given that the revised project would result in less potable water demand than the original project (i.e., a reduction in potable water demand of approximately 8 percent), the revised project would result in reduced impacts to water service compared to the original project. Specific to the interim chloride reduction facilities, no material increase in potable water supply would be needed with respect to construction or operation of either the demineralization or brine disposal sites and related underground lines connecting to and from the Valencia WRP.

Thus, no new or more severe significant water supply effects are expected to occur with implementation of the revised project.

(11) Wastewater Disposal

Wastewater generation under the original project would be approximately 0.96 million gallons per day (mgd). As a result of the reduction in dwelling units, this amount would decrease to 0.90 mgd with the revised project, which represents a decrease of 0.06 mgd when compared to the original project (a 6 percent decrease). As with the original project, wastewater from the revised project would be treated either by the Newhall Ranch WRP (if available), or by the Valencia WRP on an interim basis until the Newhall Ranch WRP is completed, ~~with~~ a relatively small amount of the wastewater (0.266 mgd) may be permanently treated at the Valencia WRP. Based on or Newhall Ranch WRP, subject to final approval or coordination with the County Sanitation Districts of Los Angeles County (CSDLAC). Based on CSDLAC future wastewater generation estimates and the planned expansion of the Saugus and Valencia WRPs, the Valencia WRP would have sufficient capacity to temporarily accommodate the original project's predicted wastewater generation of 0.695 mgd, so the 0.634 mgd that would be generated under the

revised project could also be accommodated. The Valencia WRP would also have sufficient capacity to permanently accommodate the project's predicted wastewater generation directed to the Valencia WRP of 0.266 mgd, which remains unchanged under the revised project. For these reasons, the revised project would result in slightly fewer impacts when compared with the original project with respect to wastewater generation and treatment. Thus, no new or more severe significant wastewater effects are expected to occur with implementation of the revised project.

For a further assessment of the overall environmental impacts associated with the interim treatment of wastewater for the first 6,000 dwelling units on Newhall Ranch, please see **Topical Response 4, Subsection 2.0, A.**, above.

(12) Solid Waste Services

The original project would generate 8,451 tons of solid waste per year. In comparison, the revised project would generate 8,006 tons of solid waste per year, which represents a decrease of 444 tons per year of solid waste generated compared to the original project. To the extent the revised project would generate slightly less solid waste than the original project, the revised project, therefore, would result in slightly fewer impacts than the original project relative to solid waste services, although impacts would remain significant and unavoidable. Specific to the interim chloride reduction facilities, there would be no material change or increase in solid waste generation with implementation of the proposed facilities.

Thus, no new or more severe significant solid waste effects are expected to occur with implementation of the revised project.

(13) Sheriff Services

The original project would result in a resident population of approximately 10,802 persons, which would increase the demand for law enforcement and traffic-related services on the project site and the local vicinity in terms of personnel and equipment. As a result, the original project would require the services of an additional 11 sworn officers. In comparison, the revised project would result in a population of 9,928 persons, a slight reduction of 874 persons. Given the Sheriff Department ratio of 1 officer per 1,000 persons, the revised project would require the services of 10 officers. Therefore, from a sheriff services standpoint, the revised project would result in impacts slightly less than the original project with respect to law enforcement. Specific to the interim chloride reduction facilities, there would be no material change or increase in the use of law enforcement services with implementation of the proposed facilities.

Thus, no new or more severe significant law enforcement effects are expected to occur with implementation of the revised project.

(14) Fire Protection Services

The project site is located in an area that has been designated as a Very High Fire Hazard Severity Zone (formerly called Fire Zone 4) by the County's Fire Department, which denotes the County Forester's highest fire hazard potential. Any land use constructed on the site would be required to meet all County codes and requirements relative to providing adequate fire protection services to the site during both the construction and operational stages of the project.

Since the number of housing units would be slightly reduced under the revised project, the number of fire protection service calls to the revised project site presumably would also be slightly reduced relative to the original project. Under either the original project or the revised project, the fire station would be constructed. As a result, site development under either the original project or the revised project would not diminish the staffing or the response times of existing fire stations in the Santa Clarita Valley, nor would it create a special fire protection requirement on the site that would result in a decline in existing service levels. Based on this information, the revised project would result in similar impacts to the original project with respect to fire protection services. Specific to the interim chloride reduction facilities, there would be no material change or increase in the use of fire protection services with implementation of the proposed facilities.

Thus, no new or more severe significant fire protection effects are expected to occur with implementation of the revised project.

(15) Education

The original project would generate an estimated 969 elementary school students, 267 middle school students, and 378 senior high school students for the three affected school districts at project build out. Because the revised project would both reduce the number and change the mix of dwelling units compared to the original project, fewer students would be generated under the revised project. The revised project would generate an estimated 875 elementary school students, 241 middle school students, and 342 senior high school students. This reduction amounts to 94 fewer elementary school students, 26 fewer middle school students and 36 fewer high school students when compared to the original project.

Development of either the original project or the revised project would be subject to the funding agreements established between the applicant and the affected school districts. Given that all future development, including the original project or the revised project, must comply with existing school facilities funding agreements and other funding mechanisms (e.g., Senate Bill [SB] 50, the Valley-Wide Joint Fee Resolution, and/or new school facilities funding agreements), the revised project would result in impacts similar to the original project with respect to education. Specific to the interim chloride reduction

facilities, there would be no material change or increase in the use of education services with implementation of the proposed facilities.

Thus, no new or more severe significant educational effects are expected to occur with implementation of the revised project.

(16) Parks and Recreation

The original project includes approximately 25 acres of active parkland consistent with the Specific Plan's Land Use Overlay Community Park designation for the area. The original project also includes 14.7 acres of private recreation areas, 18,980 linear feet (9.3 acres) of community trails, and 217 acres of River Corridor. In light of these project components and the parkland credits allowed by the County Department of Parks and Recreation, the project results in a total park provision of 101.6 acres of equivalent park space. This results in a parkland dedication equivalent to approximately 10.3 acres per 1,000 persons, which is greater than the County and Quimby Act requirements of 3.0 acres per 1,000 persons.

In comparison, development of the revised project would provide the same 25.0 acres of active parkland, with the same amount of private recreation areas and trails. As to the River Corridor, a total of 4.4 acres has been moved to the San Fernando Valley spineflower preserves, decreasing the amount of River Corridor under the revised project to 212.6 acres. However, with a decrease in project population resulting from the development of fewer residential dwellings, implementation of the revised project would result in the provision of 100.4 acres of equivalent park space and a parkland dedication of approximately 11.1 acres per 1,000 persons, which is greater than that provided by the original project and greater than the County and Quimby Act requirements of 3.0 acres per 1,000 persons. For these reasons, the revised project would result in fewer impacts than the original project with respect to parks and recreation. Specific to the interim chloride reduction facilities, there would be no material change or increase in the use of parks and recreation services with implementation of the proposed facilities.

Thus, no new or more severe significant parks and recreation effects are expected to occur with implementation of the revised project.

(17) Library Services

Based on the County library level of service guideline of 0.50 square feet of library facilities per capita and the adopted County library planning standard of 2.75 library books per capita, development of the original project would require a total of 5,401 square feet of library facilities and 29,705 items (books, magazines, periodicals, etc.). In comparison, as a result of the reduced on-site population, the revised

project would require a total of 4,964 square feet of library facilities with 27,302 additional volumes of books for the library system's collection. This results in a decrease in demand of 437 square feet of library facilities and 2,403 library books when compared to the original project.

As part of the County's approval of the Newhall Ranch Specific Plan, the County adopted library mitigation requiring that the developer provide funding for the construction and development of library facilities on the Specific Plan site. This requirement would apply equally to the revised project, as well as to the original project. Therefore, because the revised project would result in less demand for space and items than would the original project, the revised project would result in reduced impacts when compared to the original project relative to library services, although under either the original or revised project, the demand for space and items would be met by construction and operation of the new library facilities, as required by the Specific Plan mitigation. Specific to the interim chloride reduction facilities, there would be no material change or increase in the use of library services with implementation of the proposed facilities.

Thus, no new or more severe significant library effects are expected to occur with implementation of the revised project.

(18) Agricultural Resources

Development of the original project would result in the loss of 160.7 acres of Prime Farmland, 30.1 acres of Unique Farmland, and 0.6 acre of Farmland of Statewide Importance. Development of the VTTM site under the revised project would result in the same loss of prime agricultural land and agricultural production as the original project because the reduction in the development footprint would occur on non-agricultural land. As to forest resources (e.g., oak, cottonwood), impacts under the revised project would be the same as those impacts under the original project. Consequently, the revised project would result in impacts similar to the original project with respect to agricultural ~~resources and forest resources.~~ Specific to the interim chloride reduction facilities, there would be no material change or increase in impacts to designated agricultural resources with implementation of the proposed facilities.

Thus, no new or more severe significant agricultural resource effects are expected to occur with implementation of the revised project.

(19) Utilities

Under the original project analysis presented in the Draft EIR, current projections for energy supply and demand by Southern California Edison (SCE) and the Southern California Gas Company (SCGC) indicate that these utility providers would have sufficient electricity and natural gas resources to serve the project

site. Since the revised project would result in a reduced amount of residential development, the energy estimates presented in the Draft EIR overstate demand. More specifically, because of the reduced residential unit count, the demand for electricity would be reduced from approximately 17,643,509 to 16,215,872 kWh/yr and the demand for natural gas would be reduced from approximately 156,055 to 143,428 MMBTU/yr. Thus, energy use associated with the revised project would be less than that identified for the original project.

In addition, all development on the Mission Village project site would be required to comply with Title 24, Assembly Bill (AB) 970, and AB 32 energy conservation measures. Moreover, the applicant has committed to designing all residential and non-residential uses to be 15 percent more energy efficient than required by Title 24 (2008); this commitment would apply to the original project and the revised project. Based on the above, the revised project would result in impacts that are slightly less than the original project with respect to utilities. As to the interim chloride reduction facilities, there would be no material change or increase in the use of energy with implementation of the proposed facilities.

Thus, no new or more severe significant utility impacts are expected to occur with implementation of the revised project.

(20) Mineral Resources

The revised project would result in a smaller development footprint, thereby requiring less grading than would the original project (the graded development footprint would be reduced by approximately 2 percent). As such, the potential for disturbance or over covering of any potential mineral resource deposits during site development would be reduced when compared to the original project. For this reason, the revised project would result in fewer impacts when compared to the original project with respect to mineral resources. Specific to the interim chloride reduction facilities, there would be no material change or increase in the use of mineral resources with implementation of the proposed facilities.

Thus, no new or more severe significant mineral resource effects are expected to occur with implementation of the revised project.

(21) Environmental Safety

The potential environmental safety impacts relative to development of the original project site include soil contamination attributable to past and present agricultural activities, on-site petroleum (i.e., oil) drilling and pipeline activities, and the disposal of on-site hazardous materials debris. Although the development footprint would be reduced, future residents of either the original project or revised project

potentially would be subjected to these potential hazards unless remediated. For these reasons, the revised project would result in impacts similar to the original project with respect to environmental safety. Specific to the interim chloride reduction facilities, there would be no material change or increase in environmental safety with implementation of the proposed facilities.

Thus, no new or more severe significant environmental safety effects are expected to occur with implementation of the revised project.

(22) Cultural/Paleontological Resources

The revised project would result in a smaller development footprint and require less grading near to known archaeological and paleontological resources than would the original project. As such, the potential for disturbance to known cultural/paleontological resources during construction activities under the revised project would be reduced when compared to the original project. For this reason, the revised project would result in fewer impacts when compared to the original project with respect to cultural/paleontological resources. Specific to the interim chloride reduction facilities, there would be no material change or increase in impacts to cultural/paleontological resources with implementation of the proposed facilities.

Thus, no new or more severe significant cultural/paleontological effects are expected to occur with implementation of the revised project.

(23) Global Climate Change

Both the original project and the revised project would employ the same PDFs and emission reduction strategies to reduce the overall level of greenhouse gas (GHG) emissions on the project site, and ensure consistency with AB 32. Nonetheless, under the revised project, the one-time release of GHG emissions associated with vegetation/land use change and construction would be slightly less, as compared to the original project, because the overall development footprint would be reduced slightly in size, thereby reducing the amount of grading and extent of construction activities. Additionally, the revised project's annual GHG emission levels would be slightly reduced relative to the original project due to the reduction in number of total residential dwelling units. Specifically, annual GHG emissions attributable to residential building energy use, mobile sources, and water demand (including conveyance, treatment and distribution) would be less. ~~In summary, the revised project would result in fewer impacts than the original project as it would generate slightly less GHG emissions than the original project.~~

As to the interim chloride reduction facilities, there would be no material change or increase in the use of energy, and the related emission of GHG, with implementation of the proposed facilities. The emissions

that would be generated by the emergency generators for the demineralization and brine disposal sites are discussed and presented in Air Quality, Table TR4-3, above. Please see Appendix F4.7(A) for detailed calculations and supporting documentation.

In summary, the revised project would result in fewer impacts than the original project as it would generate slightly less GHG emissions than the original project. Thus, no new or more severe significant climate change impacts are expected to occur with implementation of the revised project.

(24) Conclusion on Environmental Analyses

Under the revised project, impacts associated with geotechnical and soil resources, hydrology, water quality, traffic/access, air quality, noise, water service, wastewater, biota, parks and recreation, library services, cultural/paleontological resources, sheriff services, solid waste services, mineral resources, utilities, and climate change generally would be reduced when compared to the original project due to the decrease in the number of dwelling units that would be built and the corresponding reduction in development. The revised project would have similar impacts with respect to floodplain modifications, visual qualities, fire services, education, agricultural resources, and environmental safety when compared to the original project. However, on balance, the revised project would result in fewer impacts than the original project.

Significant and Unavoidable Impacts would occur under the original project with respect to the following environmental topic areas: visual qualities, air quality, solid waste services, and agricultural resources. While the revised project would result in fewer impacts than the original project due to the decrease in the number of dwelling units that would be built and the corresponding reduction in development, these significant and unavoidable impacts would also occur with the revised project.

Updated Topical Response 5: Chloride

1. INTRODUCTION

Comments on the Mission Village Draft EIR claim that chloride has had a significant impact on the natural river ecosystem due to high levels of chloride in treated wastewater effluent and runoff from urban areas. The comments assert that the river ecosystem already has been impacted by high concentrations of chloride in the Santa Clara River. Further, comments ~~assert~~state that the Mission Village Draft EIR is deficient by not eliminating future projected increases in chloride levels in the implementation of the Mission Village project.

Comments claim that an agreement between the project applicant (Newhall) and Sanitation Districts Nos. 26 and 32, later consolidated as the Santa Clarita Valley Sanitation District (SCVSD), violates the conditions of the Newhall Ranch Specific Plan, and places the Santa Clarita Valley in jeopardy of “continued non-compliance” with the chloride total maximum daily load (TMDL) under the Clean Water Act. Comments also question the cost implications of the “clean up of chlorides required to comply with the Clean Water Act.” Other comments assert that high chloride levels in water supply wells and the use of Nickel water will add to the chloride load from ~~plant~~Water Reclamation Plant (WRP) discharges. Comments claim that groundwater is already “contaminated” with chloride, which would be exacerbated under the proposed project.

Further, comments claim that the only option for reducing chloride impacts is the ~~partial~~phased or full construction of the Newhall Ranch ~~Water Reclamation Plant (WRP)~~ or requiring the applicant to pay its share of the cost of providing facilities at the Valencia WRP to treat its effluent to meet the 100 milligrams per liter (mg/L) chloride objective, which is applicable to the Newhall Ranch WRP. Comments also oppose the interim use of the Valencia WRP to serve ~~homes~~up to 6,000 dwelling units from both the Mission Village and Landmark Village projects within the Newhall Ranch Specific Plan. Comments claim that interim use of the Valencia WRP will compound its treatment problems, and make it more difficult for the SCVSD to comply with the chloride objectives in the “Alternative Water Resources Management” (AWRM) Plan ~~for chlorides (also known as the Alternative Compliance Plan or ACP).~~ Comments claim that the SCVSD’s failure to comply with the ~~Alternative Water Resource Management~~AWRM Plan, and its required timelines, will result in the imposition of the stricter 100 mg/L chloride TMDL standard. Comments infer that interim use of the Valencia WRP will not result in the construction of the Newhall Ranch WRP.

Additional comments state that the temporary discharge of Newhall Ranch wastewater to the existing Valencia WRP from the first 6,000 units in Newhall Ranch’s Mission Village and Landmark Village would “elevate the chloride load rather than reducing it.”

Related comments also have stated that the project's potable water supply (the "E Wells") is often naturally high in chloride, and that due to typical chloride "pickup" levels in domestic water, the project may pose a significant impact due to its contribution of chloride in treated wastewater discharges, possibly exceeding the chloride TMDL wasteload allocation of 100 mg/L.

This topical response addresses these chloride-related comments ~~received on the Mission Village Draft EIR.~~ At the outset, ~~however,~~ some background information is appropriate for overall context.

2. WASTEWATER PLAN

Both the Mission Village Draft EIR and the Landmark Village Recirculated Draft EIR described and analyzed each project's wastewater/sewer plan, including the routing of sewer lines and the delivery system to serve each project site within the approved Newhall Ranch Specific Plan. As stated in each EIR, the long-range plan is for the Newhall Ranch WRP to be constructed to serve uses within the Specific Plan area, and the new County sanitation district (i.e., NRSD) has been formed to implement the Newhall Ranch WRP, and to coordinate with the SCVSD, with regard to the establishment of the new Newhall Ranch sanitation district and its WRP and sewerage conveyance system. This coordination enables the County to verify that the Newhall Ranch development is consistent with the County's General Plan and Specific Plan buildout requirements. Part of this coordination involved Newhall entering into the Interconnection Agreement, dated January 9, 2002, with the Sanitation District Nos. 26 and 32, later consolidated as the SCVSD.²⁷

The Interconnection Agreement sets conditions under which the first 6,000 dwelling units in Newhall Ranch may temporarily discharge wastewater to the Valencia WRP. The conditions include payment of the standard SCVSD connection fee (fair share of the cost of the existing infrastructure) and transfer of title of the 22-acre Newhall Ranch WRP site to the NRSD. Newhall Ranch residents also would pay the SCVSD an annual service charge to cover the full cost of treating their wastewater at the Valencia WRP. Temporary treatment of wastewater at the Valencia WRP would not eliminate the need for the project applicant (Newhall) to construct the Newhall Ranch WRP. Prior to building more than 6,000 dwelling units, Newhall must construct the Newhall Ranch WRP to serve Newhall Ranch development and finance the new sewerage system. In addition, the Valencia WRP has the available capacity for temporary

²⁷ A copy of the Interconnection Agreement is found in **Appendix F4.9** of the Mission Village Final EIR (May 2011).

treatment of the Newhall Ranch wastewater (up to 6,000 dwelling units); thus, no negative impact to the CSD's sewerage system is expected.²⁸

The Newhall Ranch Specific Plan Revised Draft EIR (March 1999) and the Revised Additional Analysis (May 2003) evaluated the environmental impacts related to development of the Specific Plan, including construction of the Newhall Ranch WRP to a project level and the new sewerage facilities at a programmatic level to serve the Specific Plan. The County is in the process of completing further CEQA compliance of the Newhall Ranch wastewater/sewer system at the project level for both Mission Village and Landmark Village in two pending project EIRs. Both the Mission Village Draft EIR and the Landmark Village Revised Draft EIR note that the environmental effects of constructing and operating the Newhall Ranch WRP at buildout were evaluated at the project-level in the prior certified Newhall Ranch Specific Plan environmental documentation. Both EIRs have identified options to treat wastewater generated by each project during the interim until the Newhall Ranch WRP is constructed. Specifically, both EIRs identified an option to construct a pump station at each project site where wastewater would be pumped back to the existing Valencia WRP until such time as the first phase of the Newhall Ranch WRP is constructed. (See, e.g., Mission Village Draft EIR, Section 1.0, Project Description, pp. 1.0-69 through 1.0-70, and Section 4.9, Wastewater Disposal, pp. 4.9-10 through 4.9-12.)

As part of the project applicant's separate but related Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP) project, Newhall also has committed to constructing, if needed, interim chloride reduction and demineralization facilities (proposed interim chloride facilities) to further treat Newhall Ranch project wastewater, until such time as the first phase of the Newhall Ranch WRP is constructed (i.e., up to 6,000 dwelling units per the terms of the 2002 Interconnection Agreement). The Newhall Ranch RMDP/SCP EIS/EIR, prepared jointly by CDFG and the U.S. Army Corps of Engineers (Corps), evaluated the proposed interim chloride facilities at a program level, stating that the project EIRs for Mission Village and Landmark Village would evaluate such facilities at the project level.

3. REGIONAL REGULATORY EFFORTS

The Los Angeles Regional Water Quality Control Board (RWQCB) protects groundwater and surface water quality in the Los Angeles Region, including the coastal watersheds of Los Angeles and Ventura

²⁸ Moreover, the environmental implications of the build-out of the Valencia WRP to its capacity were assessed in the SCVSD's certified EIR for the 2015 Santa Clarita Valley Joint Sewerage System Facilities Plan, which is incorporated by reference and available at http://www.lacsd.org/info/publications_n_reports/wastewater_reports/final2015scv/default.asp or upon request to SCVSD.

counties, along with very small portions of Kern and Santa Barbara counties. The RWQCB adopted chloride objectives for individual reaches of the Santa Clara River as part as the Water Quality Control Plan for the Los Angeles Region (Basin Plan). The chloride objectives were established on what were assumed to be background water conditions at specific locations within the reaches and also protection of the off-stream agricultural beneficial use.

Under section 303(d) of the Clean Water Act, states are required to develop lists of waters that do not meet water quality standards even after point sources of pollution have installed the minimum required levels of pollution control technology. The law requires that states develop TMDLs for these impaired waters. High levels of chloride in the Santa Clara River have caused listings for impairment, and chloride TMDLs have been developed and adopted into the Basin Plan.

The RWQCB's adopted chloride TMDL is described in the RWQCB staff report, dated November 24, 2008; RWQCB Resolution; Basin Plan Amendments; and other pertinent documents, which are available on the RWQCB's website, located at http://www.waterboards.ca.gov/losangeles/board_decisions/basin_plan_amendments/technical_documents/bpa_69_2008-012_td.shtml (last accessed ~~April 6~~ August 24, 2011), and incorporated by reference.

In connection with this regional effort, the RWQCB acted as the lead agency for evaluating the environmental effects of the amended chloride TMDL, adoption of conditional site-specific objectives (SSOs) for chloride in river reaches and groundwater basins in the Upper Santa Clara River watershed, and other interim wasteload allocations (sulfate and total dissolved solids). The result of this effort led to RWQCB's completion and approval of the "Substitute Environmental Document for the Upper Santa Clara River Chloride TMDL Reconsideration and Conditional Site Specific Objectives," which was prepared under the CEQA requirements for a certified regulatory program. RWQCB's environmental documentation was based on the amended chloride TMDL that was considered and approved as an amendment to the Basin Plan. This environmental documentation is available on RWQCB's website, found at http://www.waterboards.ca.gov/losangeles/board_decisions/basin_plan_amendments/technical_documents/bpa_69_2008-012_td.shtml (last accessed ~~April 6~~ August 24, 2011), and incorporated by reference.

The County acknowledges the regional efforts summarized above. However, the County considers these regional efforts to be well beyond the scope of a project-level EIR for a proposed development project. Nonetheless, the County has made a good-faith effort to respond further below to the comments received on the Mission Village Draft EIR, even though several of the comments address the broader regional chloride reduction efforts underway in the Upper Santa Clara River watershed.

2. Background

4. COUNTY PLANNING EFFORTS

On March 23, 1999, and, again, on May 27, 2003, the County's Board of Supervisors (Board) certified the environmental documents for the Newhall Ranch Specific Plan and the Newhall Ranch ~~Water Reclamation Plant (WRP)~~. The certified 1999 Newhall Ranch ~~Specific Plan Program EIR~~ Revised Draft EIR and the Revised Additional Analysis (May 2003) evaluated the Newhall Ranch WRP at a project level of detail, ~~and the~~, and the new sewerage facilities to serve the Specific Plan at a programmatic level. The Board also approved the Newhall Ranch WRP under Conditional Use Permit No. 94-087-(5). The Newhall Ranch WRP is to provide treatment of the wastewater generated within the Specific Plan, as well as produce recycled water for the Specific Plan area.

The Newhall Ranch WRP's certified ~~project level~~ environmental analysis is found in Section 5.0 of the Newhall Ranch Revised Draft EIR (March 8, 1999) and Section 3.0 of the Newhall Ranch Revised Additional Analysis, Volume VIII (May 2003). Section 3.0 assessed and updated various Newhall Ranch WRP alternatives, including the approved Newhall Ranch WRP site.

The 1999 Newhall Ranch ~~Specific Plan Program~~ Revised Draft EIR and the 2003 ~~Newhall Ranch~~ Revised Additional Analysis contain Mitigation Measure SP 5.0-52, requiring formation of a county sanitation district for the Newhall Ranch Specific Plan area. This requirement also is included in the adopted Mitigation Monitoring Plan for the Newhall Ranch Specific Plan. Other mitigation measures (Mitigation Measures SP 5.0-22, and SP 5.0-55) require the Newhall Ranch WRP to be designed and operated in accordance with a National Pollutant Discharge Elimination System (NPDES) permit, to be obtained from the RWQCB, Los Angeles Region.

To fulfill these mitigation requirements and establish a logical plan for development of the new district and its infrastructure, the Newhall Land and Farming Company (Newhall) and the Sanitation Districts Nos. 36 and 32, later consolidated as the SCVSD, entered into the Interconnection Agreement, dated January 9, 2002.

~~On December 13, 2005, the County's Board adopted a resolution of intent to form the new district to be known as the Newhall Ranch County Sanitation District (NRSD). The Board also approved an Addendum to the Newhall Ranch EIR and Additional Analysis, which evaluated the environmental effects of NRSD formation. The Addendum determined that formation of the NRSD would not result in new or substantially more severe environmental impacts than those discussed in the prior Newhall Ranch environmental documents.~~

~~Thereafter, the County initiated proceedings for the formation of the NRSD, pursuant to the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000. On June 14, 2006, the Local Agency Formation Commission (LAFCO) for Los Angeles County adopted a resolution approving formation of the NRSD. On July 27, 2006, LAFCO issued a Certificate of Completion for formation of the NRSD.~~

~~On January 18, 2011, the County's Board considered a resolution confirming formation of the NRSD. In doing so, the Board found that formation of the NRSD was within the scope of the previously certified Newhall Ranch EIR and Addendum.~~

The Interconnection Agreement ensures that the developer (Newhall) provides the necessary land and infrastructure for the logical development and implementation of the Newhall Ranch WRP. The Agreement was considered and approved by the District 26 and District 32 Boards at their January 9, 2002 meeting, which was noticed, the subject of an agenda, and open to the public in compliance with the Brown Act. Further, the Agreement was referenced in previous County staff reports supporting formation of the new NRSD (see, for example, Department of Public Works staff report to the Board of Supervisors, dated December 1, 2005, pages 3-4; and the Department's staff report to the Board, dated January 18, 2011, page 3, both of which are incorporated by reference).

As explained, the Interconnection Agreement sets conditions under which the first 6,000 homes in Newhall Ranch may temporarily discharge wastewater to the SCVSD's Valencia WRP. ~~The conditions include payment of the standard connection fee (fair share of the cost of the existing infrastructure) and transfer of title of the 22-acre Newhall Ranch WRP site to the NRSD. Newhall Ranch residents also would pay the SCVSD an annual service charge to recover the full cost of treating their wastewater at the Valencia WRP. Temporary treatment of wastewater at the Valencia WRP would not eliminate the need for the developer to finance and construct the Newhall Ranch WRP. Newhall, as the developer, must still construct the Newhall Ranch WRP and the new sewerage system within the Specific Plan area.~~

The Interconnection Agreement also specifies that Newhall must fund construction of the Newhall Ranch WRP, which is contemplated to be constructed in stages as the Specific Plan area is developed, and it sets conditions under which the first 6,000 homes/dwelling units in Newhall Ranch (i.e., the Mission Village and Landmark Village projects) may temporarily discharge wastewater to the Valencia WRP.

Temporarily treating wastewater from the first 6,000 Newhall Ranch homes/dwelling units at the Valencia WRP is a practical engineering decision based on the need to build up an adequate, steady flow of wastewater before starting up the Newhall Ranch WRP. The Interconnection Agreement does not impact the SCVSD's ability to comply with the chloride TMDL. As discussed ~~below~~, the Valencia WRP has available capacity for interim treatment of Landmark Village and Mission Village wastewater. The

SCVSD supports this interim action for these same reasons. (Please refer to the SCVSD's memorandum to the County Board of Supervisors, dated March 8, 2011. The memorandum and attachments are found in Appendix F4.22 of the Mission Village Final EIR ~~→(May 2011).~~)

3On December 13, 2005, the County's Board adopted a resolution of intent to form the new district to be known as the NRSD. The Board also approved an Addendum to the Newhall Ranch EIR and Additional Analysis, which evaluated the environmental effects of NRSD formation. The Addendum determined that formation of the NRSD would not result in new or substantially more severe environmental impacts than those discussed in the prior Newhall Ranch environmental documents.

Thereafter, the County initiated proceedings for the formation of the NRSD, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. On June 14, 2006, the Local Agency Formation Commission (LAFCO) for Los Angeles County adopted a resolution approving formation of the NRSD. On July 27, 2006, LAFCO issued a Certificate of Completion for formation of the NRSD.

On January 18, 2011, the County's Board considered a resolution confirming formation of the NRSD. In doing so, the Board found that formation of the NRSD was within the scope of the previously certified Newhall Ranch EIR and Addendum.

5. ENVIRONMENTAL AND REGULATORY SETTING

a. Existing/Baseline Environmental Conditions

The existing water quality in Santa Clara River Reach 5 is summarized in the Mission Village Draft EIR, Section 4.22, pages 4.22-38 through 4.22-48, and Appendix 4.22, ~~page 34.~~Mission Village Water Quality Technical Report, page 34, as revised in Final EIR (October 2011), **Appendix F4.22(A).** Overall, the average chloride concentrations in Santa Clara River Reach 5 during recent dry weather monitoring conducted by Newhall for the Newhall Ranch WRP NPDES permitting process ranged between 97 mg/L and 140 mg/L. The average chloride concentration observed in monitoring data collected by Los Angeles County during wet weather in the Santa Clara River at The Old Road, just upgradient of the project location, was about 43 mg/L.

ab. Regulatory Background and History

(1) Chloride TMDL

As stated above, the RWQCB has developed and adopted an amended chloride TMDL. The chloride TMDL is part of the Basin Plan. Please see the Mission Village Final EIR (October 2011), **Topical**

Response 4: Revised Project Design, for further information regarding RWQCB's adoption of the chloride TMDL.

The RWQCB first adopted a TMDL for chloride in the Upper Santa Clara River in October 2002 (Resolution No. 2002-018). On May 6, 2004, the RWQCB amended the Upper Santa Clara River chloride TMDL to revise the interim wasteload allocations (WLAs) and implementation schedule (Resolution 04-004). The amended TMDL was approved by the State Water Resources Control Board (SWRCB), Office of Administrative Law, and the USEPA, and became effective on May 4, 2005. The chloride TMDL requires that chloride levels in WRP effluent not exceed 100 mg/L.

At the time the TMDL was adopted and approved, there were key scientific uncertainties regarding the sensitivity of crops to chloride and the complex interactions between surface water and groundwater in the Upper Santa Clara River watershed. The TMDL recognized the possibility of revised chloride water quality objectives (WQO) and included mandatory reconsiderations by the RWQCB to consider Site Specific Objectives (SSO). The TMDL required the County Sanitation Districts to implement special studies and actions to reduce chloride loadings from the Saugus and Valencia WRPs. The TMDL included the following special studies to be considered by the RWQCB:

- Literature Review and Evaluation (LRE) — review agronomic literature to determine a chloride threshold for salt sensitive crops.
- Extended Study Alternatives (ESA) — identify agricultural studies, including schedules and costs, to refine the chloride threshold.
- Endangered Species Protection (ESP) — review available literature to determine chloride sensitivities of endangered species in the Upper Santa Clara River.
- Groundwater and Surface Water Interaction Study (GSWI) — determine chloride transport and fate from surface waters to groundwater basins underlying the Upper Santa Clara River.
- Conceptual Compliance Measures — identify potential chloride control measures and costs based on different hypothetical WQO and final WLA scenarios.
- Site Specific Objectives and Antidegradation Analysis — consider a site specific objective for chloride based on the results of the agricultural chloride threshold study and the GSWI.

The TMDL special studies were conducted in a facilitated process in which stakeholders participated in scoping and reviewing the studies. This The chloride TMDL process resulted in an alternative TMDL implementation plan that addresses chloride impairment of surface waters and degradation of groundwater. The alternative plan, the AWRM, AWRMP (or the ACP), was first set forth by the Upper Basin water purveyors and United Water Conservation District (UWCD), the management agency for groundwater resources in the Ventura County portions of the Upper Santa Clara River watershed. The

~~AWRM program~~AWRMP increases chloride WQOs in certain groundwater basins and reaches of the ~~USCR~~Upper Santa Clara River watershed, decreases the chloride objectives in the eastern Piru Basin, and results in an overall reduction in chloride loading as well as water supply benefits²⁹.

The ~~AWRM program~~AWRMP, which is described in detail in the GSWI Task 2B-2 Report³⁰, consists of advanced treatment for a portion of the recycled water from the Valencia WRP; construction of a well field in the eastern Piru basin to pump out higher chloride groundwater; discharging the blended pumped groundwater and advanced treated recycled water to Reach 4A at the western end of the Piru basin at a chloride concentration not to exceed 95 mg/L; and conveyance of supplemental water and advanced treated recycled water to the Santa Clara River.

~~A GSWI model was developed to assess the linkage between chloride sources and instream water quality, and to quantify the assimilative capacity of Santa Clara River Reaches 4A, 4B, 5, and 6 and the groundwater basins underlying those reaches³¹. GSWI was then used to predict the effects of WRP discharges on chloride loading to surface water and groundwater under a variety of future hydrology, land use, and water use assumptions, including future discharges from the Newhall Ranch Specific Plan projects, in order to determine appropriate WLAs and load allocations. The GSWI model was used to assess the ability of the AWRM to achieve compliance with proposed conditional SSOs under future water use scenarios within the USCR watershed. The model was based on design capacities at Valencia WRP and Saugus WRP of 27.6 million gallons per day (mgd) and 6.5 mgd, for a total system design capacity of 34.1 mgd by year 2027³². The model predicted that the AWRM could achieve proposed conditional SSOs for chloride under both drought and non-drought conditions.³³~~

For further background information, please see RWQCB's November 24, 2008, staff report found in Appendix F4.22 of the Mission Village Final EIR (May 2011) (see, specifically, "Upper Santa Clara River Chloride TMDL Reconsideration and Conditional Site Specific Objectives for Chloride and Interim Wasteload Allocations for Sulfate and Total Dissolved Solids Staff Report," RWQCB, November 24, 2008).

²⁹ Los Angeles Regional Water Quality Control Board (LARWQCB), 2008. Upper Santa Clara River Chloride TMDL Reconsideration, Conditional Site Specific Objectives for Chloride, and Interim Wasteload Allocations for Sulfate and Total Dissolved Solids Staff Report. November 24, 2008.

³⁰ Geomatrix, 2008. Draft Task 2b-2 Report - Assessment of Alternatives for Compliance Options Using the Groundwater/Surface Water Interaction Model Upper Santa Clara River Chloride TMDL Collaborative Process.

³¹ ~~See footnote 1.~~

³² ~~See footnote 1.~~

³³ ~~See footnote 2.~~

(2) Valencia WRP NPDES Conditions and Operating Criteria

The SCVSD ~~is currently discharging~~ discharges tertiary-treated wastewater to the Santa Clara River from the Valencia WRP pursuant to Order No. R4-2009-0074 and NPDES Permit No. CA0054216.³⁴ The Valencia WRP has a current design capacity of 21.6 mgd and serves an estimated population of 162,661.³⁵

The Valencia WRP is part of the SCVSD's regional system that also includes the Saugus WRP. The regional system allows biosolids, solids, and excess influent flows from the Saugus WRP to be diverted to the Valencia WRP for treatment and disposal. The Valencia WRP currently receives wastewater from the City of Santa Clarita and unincorporated areas of Los Angeles County. The wastewater is a mixture of pretreated industrial and residential wastewater.

~~In order to comply with chloride TMDL~~ Recently, however, Ventura County and the Ventura County Agricultural Water Quality Coalition have expressed concerns to the RWQCB over a perceived lack of progress by the SCVSD for compliance with the chloride TMDL. The SCVSD responded to those claims by letter to the RWQCB, dated May 9, 2011 (a copy of this letter is presented in Final EIR (October 2011), **Appendix F4.22(A)**).

Pertinent excerpts from SCVSD's May 9, 2011 letter to the RWQCB are provided below:

"[T]he stakeholder-led process that developed the original ACP was based on the best available information at the time and was approved by the Regional Board under Resolution R4-2008-012. In the 2.5 years since then, water quality at the Los Angeles/Ventura County line where the beneficial use must be protected has been generally in compliance with the Site Specific Objective (SSO) for chloride of 117 mg/L (See [May 9, 2011 letter] Figure 2). This is especially remarkable given the fact that the period of 2007 through March 2011 was a drought.³⁶ This improvement can be attributed to removal of automatic water softeners and improved quality of imported water.

Historically, chloride levels in the Santa Clara River at this location have been much higher due in part to high levels of chloride in imported State Water Project deliveries

³⁴ Los Angeles Regional Water Quality Control Board, 2009. Order No. R4-2009-0074 (NPDES No. CA0054216), Waste Discharge Requirements for the Santa Clarita Valley Sanitation District of Los Angeles County, Valencia Water Reclamation Plant Discharge to Santa Clara River.

³⁵ Los Angeles Regional Water Quality Control Board, 2009. Fact Sheet for Order No. R4-2009-0074 (NPDES No. CA0054216), Waste Discharge Requirements for the Santa Clarita Valley Sanitation District of Los Angeles County, Valencia Water Reclamation Plant Discharge to Santa Clara River.

³⁶ In 2008, Governor Arnold Schwarzenegger signed Executive Order S-06-08, which proclaimed a condition of statewide drought beginning in 2007. In March 2011, Governor Jerry Brown issued a proclamation declaring the statewide drought at an end.

during drought periods. The local State Water Project (SWP) water wholesaler, the Castaic Lake Water Agency (CLWA) has provided new information regarding the assumptions of future water quality in imported SWP water. CLWA has indicated that changes in SWP operation due to recent Biological Opinions for the protection of endangered species (Wanger Decision) and completion of water banking programs have and will continue to result in lower peak chloride levels in the imported water delivered to the Santa Clarita Valley. This is evidenced in the data ([May 9, 2011 letter] Figure 3) which indicate that chloride levels in imported water were as high as 140 mg/L in 1987-1992, only reach the low 80's during the most recent drought (2007-2011). This indicates that some elements of the ACP may no longer [be] needed since the original ACP was designed to provide compliance with the Chloride TMDL assuming the worst observed conditions from the 1987-1992 drought that are not likely to repeat themselves....

The Sanitation District has already done considerable work in developing the preliminary elements of a Revised ACP for Regional Board and Ventura County stakeholder consideration. Immediately following the service charge hearings in July 2010, during which rates to support chloride reduction facilities were not approved, the Sanitation District met with CLWA and local water agencies in order to validate the predictions of improved future SWP water quality. The Sanitation District believes this will enable compliance with the SSOs adopted by the Regional Board in 2008 under future hydrological conditions and provide a similar level of water quality and water supply benefits as the original ACP, without the need for costly and energy-intensive advanced wastewater treatment facilities (Reverse Osmosis or RO). Elimination of RO from the ACP will also eliminate the need for associated brine disposal and RO permeate conveyance facilities. This will reduce the construction impacts and energy intensity of the compliance project. The Revised ACP is fully outlined in the Sanitation District's May 2, 2011 submittal to the Regional Board....

The Sanitation District continues to vigorously enforce the automatic water softener ban in an attempt to remove the remaining units. Furthermore, the Sanitation District is moving forward with an evaluation of future SWP water quality as suggested by the Regional Board. As you recall, the Sanitation District met with Regional Board staff to discuss conditions under which the Regional Board would consider new alternatives for compliance with the Chloride TMDL. The feedback received from the Regional Board indicated that any Chloride TMDL compliance alternative would have to provide similar benefits as the original ACP in order to justify water quality objectives in the range of the conditional SSOs adopted by the Regional Board in December 2008. The Regional Board also indicated additional scientific studies supporting the predicted improvements to future SWP water quality would be required in order for the Regional Board to consider revisions to the Chloride TMDL based on these predictions. Accordingly, the Sanitation District funded a study conducted by the CLWA to provide the required scientific basis to support the predictions of improved SWP water quality. In addition, the Santa Clarita Valley water agencies are evaluating changes in groundwater management practices that would limit chloride levels in the groundwater portion of the local water supply. In combination, these changes are likely to result in maximum chloride levels of 80-85 mg/L in the overall water supply to the community, which would enable the Sanitation District to meet the 2008 conditional SSOs through the Revised ACP proposed by the Sanitation District.

The Sanitation District expects the CLWA study to be completed by late summer 2011 and, if the results are favorable, the Sanitation District proposes to evaluate the Revised ACP using the GSWI Model and prepare SSO and anti-degradation studies in support. As discussed in the May 2, 2011 report, the Sanitation District proposes to confirm feasibility of the Revised ACP and establish revised regulatory requirements through a collaborative process. These steps would allow finalization of the Revised ACP, further development of the facilities plan, completion of associated CEQA analysis, and implementation of the final ACP....

[T]he SSOs adopted by the Regional Board were conditioned on implementation of the original ACP. The Chloride TMDL is clear in that if these criteria are not met, the existing water quality objectives in the Basin Plan revert back to 100 mg/L. Pending the results of the Sanitation District's studies, the Sanitation District has requested the Regional Board reopen the Chloride TMDL to incorporate the Revised ACP. This likely cannot happen until 2012 after the studies are completed and the Regional Board has reviewed them. Therefore, no action is required by the Regional Board to rescind the conditional SSOs adopted in 2008 at this time.

Further, the requests by Ventura County stakeholders to impose immediate effluent limits of 100 mg/L in the Sanitation District's NPDES permits is inappropriate as this would go far beyond the need to protect the beneficial uses of the river. The Literature Review Evaluation study conducted as part of the Chloride TMDL found that a protective range for salt sensitive agricultural crops from 100 – 117 mg/L for chloride in irrigation water. Chloride levels in the Sanitation District's Saugus and Valencia Water Reclamation Plant discharges are typically 15-20 mg/L higher than chloride levels in the Santa Clara River near the point of compliance. It is very clear that dilution occurs between the discharges and the point of use over the long term. Failing to consider this fact would result in overstringent regulation. Specifically, imposing effluent limits of 100 mg/L for the WRPs would require large expenditures of public funds without providing additional protection to beneficial uses. This would also result in substantially more environmental impacts associated with the construction of facilities to convey and dispose of brine and the greenhouse gas emissions from the energy needed to operate the necessary treatment and disposal facilities.

Compliance with a strict 100 mg/L chloride effluent limits requires implementation of advanced treatment facilities that would require considerable time for planning, design and construction. The Sanitation District could not immediately comply and would in fact need a time extension from the 2016 date contemplated in the Chloride TMDL for compliance with 100 mg/L. The original Chloride TMDL Implementation Schedule provided an eight-year period for the planning, design and construction of the required facilities. In 2006, the Regional Board reduced the Chloride TMDL implementation period but kept intact the eight-year period required for planning, design and construction of the required facilities. In 2008, the original ACP, which included a smaller-scale advanced treatment facility and local brine disposal, allowed the Chloride TMDL implementation schedule to be revised to include only six years for planning, design and construction of the required facilities. If the Regional Board requires 100 mg/L as an effluent limit, the Sanitation District will likely need eight years to comply....

The Sanitation District must ensure sufficient funding to maintain continued operation of its existing treatment facilities to protect public health and the environment. Due to the strong public opposition to raising service charge rates to pay for implementation of Chloride TMDL compliance projects, the Sanitation District declined to adopt any increase in service charge rates as necessary to cover existing operations and maintenance costs for its facilities. In order to ensure adequate funding for these costs, it was necessary to separate the rate increase necessary for these additional expenses to facilitate public understanding of the difference between the rate increases needed for existing facilities with the rate increases needed for Chloride TMDL compliance.

The Sanitation District fully understands the necessity of future rate increases to implement Chloride TMDL compliance measures. However, as the Sanitation District continues to work on developing the Revised ACP, there remains considerable uncertainty as to cost. The Sanitation District is unable to propose increased service charge rates until additional work is completed....

As indicated above, the Sanitation District has made considerable progress in reducing chloride levels in its WRP discharges to the Santa Clara River. As shown in [the May 9, 2011 letter] Figure 1, chloride levels in the Saugus and Valencia WRPs have been reduced from approximately 190 mg/L in 2002 down to approximately 125 mg/L in 2011, a decrease of approximately 65 mg/L. During the same period, chloride in SWP water averaged 83 mg/L in 2002 down to 72 mg/L in 2011, a decrease of only 11 mg/L. Much of the decrease in chloride levels is a direct result of the Sanitation District's efforts.

Additionally, chloride levels in SWP water during the most recent drought, 2007 to 2010, averaged approximately 75 mg/L, whereas chloride levels during the previous statewide drought, 1987 to 1992, averaged nearly 110 mg/L. CLWA has indicated that this is a result of changes in SWP operation due to recent Biological Opinions for the protection of endangered species (Wanger Decision) and completion of water banking programs along the SWP." (See May 9, 2011 letter, Attachment 1, pp. A1 through A-8.)

The above information sets forth the SCVSD's progress to date since the chloride TMDL was adopted. Based on the above, the SCVSD has provided estimates and time frames for completion of the work necessary in devising a revised ACP. These efforts are ongoing.

On May 27, 2011, the Los Angeles RWQCB issued administrative Notices of Violation to SCVSD regarding the Valencia and Saugus WRPs. The RWQCB notified SCVSD by letter that it was out of compliance with the administrative requirements established in Order Nos. R4-2009-0074 (Valencia WRP) and R4-2009-0075 (Saugus WRP) for not completing Task 17(a) in Attachment K of the Orders. Task 17(a) requires completion of a Wastewater Facilities Plan and programmatic EIR for facilities to comply with final permit effluent limits for chloride. The RWQCB's letters stated that the SCVSD was to respond in writing by June 27, 2011.

On June 27, 2011, the SCVSD responded in writing to the RWQCB. In the response, the SCVSD committed to complying with all applicable legal and regulatory requirements, including completing Task 17(a) of the Upper Santa Clara River Chloride TMDL implementation schedule by recommending to its Board of Directors at the next regularly scheduled Board meeting that staff prepare a Wastewater Facilities Plan and EIR for facilities to comply with a final effluent chloride limit of 100 mg/L at the point of discharge and begin design of the facilities. On July 26, 2011, the SCVSD Board of Directors approved the staff recommendation.

As part of the June 27 SCVSD response, and in an earlier May 2, 2011 letter to the RWQCB, SCVSD stated that it believes that an alternative compliance approach that incorporates facilities different from those facilities previously identified in the AWRMP, or ACP, which respond to changed chloride conditions as of 2011 would fully protect all designated beneficial uses in the Santa Clara River watershed. The changed conditions outlined in the SCVSD response include:

- Chloride levels in the Upper Santa Clara River have improved significantly since 2009, in part as a result of court-imposed pumping restriction on State Water Project (SWP) operations, coupled with implementation of groundwater banking and pump back operations along the SWP aqueduct. Peak SWP chloride concentrations at Castaic Lake during drought conditions have been reduced from historical values exceeding 100 mg/L to a current range of 80 – 85 mg/L.
- SCVSD has achieved a significant reduction of effluent chloride levels through the water softener renewal program. As a result of this program and the improved SWP water quality, effluent chloride levels have dropped approximately 70 mg/L since 2003. Further actions by the SCVSD, including a water softener ban enforcement program which has been initiated and the commitment to upgrade the Valencia and Saugus WRPs to ultraviolet disinfection, will further lower effluent chloride levels by 10 mg/L to 15 mg/L.
- Surface water chloride levels at the county line averaged 120 mg/L in 2009, the final year of a 4-year drought, 111 mg/L in 2010, and 101 mg/L as of May 2011. The Literature Review Evaluation for the Upper Santa Clara River identified a chloride level of 117 mg/L as protective of the salt-sensitive agricultural use.

The SCVSD believes that these changed conditions will show that it is more environmentally and economically sound to implement an alternative compliance approach, rather than facilities previously identified in the AWRMP or ACP, in meeting a 100 mg/L final effluent limit. As part of this effort, the SCVSD also intends to perform the modeling and scientific and technical studies necessary to demonstrate the adequacy of an alternative compliance approach and to request reopening of the chloride TMDL at a later time based on the analysis in those studies.

Nonetheless, the SCVSD has committed to immediately initiate efforts to complete a Wastewater Facilities Plan and EIR for facilities to comply with a final effluent chloride limit of 100 mg/L and begin

design of the facilities. The SCVSD also estimates that it will complete the Wastewater Facilities Plan and EIR by December 31, 2012.

In order to comply with the chloride TMDL and the final effluent chloride limit of 100 mg/L, the SCVSD will likely need to add facilities because existing treatment processes do not provide chloride removal. No decision has been made regarding how the SCVSD will achieve compliance with the chloride TMDL; however, the long-term compliance schedule established in RWQCB's revised chloride TMDL Resolution No. R4-2008-12 (December 11, 2008) allows time for attaining compliance.³⁷

4. ~~EXISTING CHLORIDE CONCENTRATION AT VALENCIA WRP~~

In the interim, at the October 4, 2011 public hearing concerning the Landmark Village project, Stephen Maguin, Chief Engineer, SCVSD, responded to Supervisor Antonovich's question as to whether the existing Valencia WRP could be temporarily used to treat the discharge from Newhall Ranch project wastewater until such time as the first phase of the Newhall Ranch WRP is constructed if SCVSD is operating under the administrative notices of violation. Mr. Maguin responded, stating that SCVSD may temporarily serve Newhall Ranch project wastewater (as anticipated by the Interconnection Agreement) and that the administrative notice of violation for the Valencia WRP was over the Wastewater Facilities Plan and associated EIR (CEQA document). Mr. Maguin added that there is no water quality violation currently occurring and that SCVSD is presently meeting with the RWQCB to resolve that notice of violation, but that it is unrelated to the recommended interim connection for the Newhall Ranch projects.³⁸

As stated above, the SCVSD will treat the wastewater from the first 6,000 dwelling units within the Specific Plan (up to 1.6 mgd) at the Valencia WRP, as needed, pursuant to the 2002 Interconnection Agreement. This treatment would occur until such time as the first phase of the Newhall Ranch WRP is constructed.

To address chloride in the Newhall Ranch Specific Plan wastewater discharges in the interim period, the applicant has committed to constructing chloride reduction facilities. Treated effluent from the Valencia WRP would be piped to the proposed demineralization site (using reverse osmosis or equivalent). Treated effluent would be piped back to the Valencia WRP and blended with treated effluent so that up

³⁷ The WLA-based final effluent limit for chloride becomes operative 11 years after the effective date of the Upper Santa Clara River Chloride TMDL (5/4/2016).

³⁸ Please see Meeting Transcript of the Los Angeles County Board of Supervisors, October 4, 2011, p. 40, which is available for public review and inspection upon request to the County Department of Regional Planning and incorporated by reference.

to approximately 6,000 dwelling units (approximately 1.6 mgd) of effluent generated by Newhall Ranch Specific Plan in the interim condition would be discharged at less than 100 mg/L for chloride. The brine by-product of the chloride reduction process would be piped within the project utility corridor north along The Old Road, west on Henry Mayo Drive, and north on Commerce Center Drive, to the brine disposal well facility, located in the Valencia Commerce Center, north of Castaic Creek. The piping north of the utility corridor along Commerce Center Drive also would be installed within the existing road right-of-way. The piping needed to transport effluent from the demineralization facility to the injection wells will be sized to the satisfaction of the SCVSD. The applicant has applied to USEPA for approval to construct the brine injection well facility. Please see the Mission Village Final EIR (October 2011), **Topical Response 4: Revised Project Design**, for a further description and analysis of the interim chloride reduction facilities.

6. EXISTING CHLORIDE CONCENTRATION AT VALENCIA WRP

The SCVSD completed a detailed and comprehensive study of the sources of chloride loading in the Santa Clarita Valley³⁹. Subsequently, the RWQCB and County Sanitation Districts staff analyzed chloride sources in the Upper Santa Clara River watershed⁴⁰. These analyses utilized mass balance techniques to identify and quantify chloride loads from imported water and residential, commercial, industrial, and WRP sources.

These reports found that the chloride in Valencia WRP effluent is comprised of two main sources: (1) chloride present in the potable water supply; and (2) chloride added by residents, businesses, and institutions in the Valencia WRP service area. Potable water in the Santa Clarita Valley is derived from two sources: imported water delivered under the State Water Project (SWP) and local groundwater. The chloride concentration in these two sources varies depending on a number of factors, most notably rainfall patterns. The chloride concentrations in Santa Clarita Valley water supplies that include SWP water are variable and, during times of extended dry weather or drought, exceed the 100 mg/L Basin Plan

³⁹ Sanitation Districts of Los Angeles County, *Santa Clarita Valley Joint Sewerage System Chloride Source Report*, October 2002. The year 2001 was used as a basis for the study.

⁴⁰ Los Angeles Regional Water Quality Control Board (LARWQB), 2008. Upper Santa Clara River Chloride TMDL Reconsideration, Conditional Site Specific Objectives for Chloride, and Interim Wasteload Allocations for Sulfate and Total Dissolved Solids Staff Report. November 24, 2008.

objective for the Santa Clara River. Chloride concentrations in Santa Clarita Valley water supplies ranged from 52 mg/L to 85 mg/L from 2002 to 2010⁴¹.

The chloride load added by users can be further divided into two parts: brine discharge from self-regenerating water softeners (SRWS) and all other loads added by users. Excluding chloride concentration in the water supply, non-SRWS sources of chloride include: residential, commercial, industrial, infiltration, and wastewater disinfection.

Based on the SCVSD's 2002 chloride source study, once this water was delivered to homes and businesses for interior use, the use of SRWS added an additional 78 mg/L of chloride concentration to the water supply before it was disposed of in the sewer for treatment. This high chloride addition suggested that source controls could be a significant means for improving water quality in the Santa Clara River. Based upon the results of the 2002 study, the SCVSD adopted an ordinance prohibiting the installation and use of new SRWS in 2003. Further, SCVSD implemented Automatic Softener Rebate Programs in 2005 (Phase I) and 2007 (Phase II), followed by the 2009 Ordinance that required removal and disposal of all SRWS installed in the SCVSD's service area. These efforts have resulted in significant reduction of chloride generated by SRWS. Based on the SCVSD's "2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan," (November 2010), concentration of chloride produced by SRWS was 6 mg/L in the SCVSD final effluent in the first half of 2010. SCVSD's goal is to completely eliminate SRWS from the SCVSD's service area.

Other residential sources of chloride include human waste, laundering, other cleaning activities, and swimming pool filter backwash; this loading adds approximately 22 mg/L of chloride in the SCVSD final effluent.⁴² The combined chloride load from commercial, industrial and hauled non-industrial waste represents approximately 7 percent of the overall chloride concentration in the SCVSD's final effluent (which corresponds to 10 mg/L chloride)⁴³. Disinfection practices at the SCVSD's Valencia WRP contribute about 12 mg/L, representing approximately 9 percent of the total effluent chloride concentration⁴⁴.

⁴¹ Sanitation Districts of Los Angeles County, *2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan*, November 2010, Table 3.9-2, pg.3-21.

⁴² Sanitation Districts of Los Angeles County, *2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan*, November 2010, Table 3.9-2, pg.3-21.

⁴³ Sanitation Districts of Los Angeles County, *2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan*, November 2010, Table 3.9-2, pg.3-21.

⁴⁴ Sanitation Districts of Los Angeles County, *2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan*, November 2010, Table 3.9-2, pg.3-21.

57. EXPECTED CHLORIDE CONCENTRATION IN MISSION VILLAGE AND LANDMARK VILLAGE WASTEWATER

The Mission Village and Landmark Village projects are expected to produce wastewater chloride concentrations similar to those in the existing SCVSD service area. The Mission Village and Landmark Village projects will not use SWP water, but will be supplied with local groundwater from the Alluvial aquifer with an average chloride concentration of 82 mg/L (concentrations ranging from 74 to 96 mg/L have been measured in E Wells⁴⁵), similar to the chloride concentrations in Santa Clarita Valley water supplies from 2002 to 2010.

As described in the Mission Village Draft EIR, Section 4.8, Water Service, the Mission Village project potable water demand would be met by the Valencia Water Company through the use of Newhall's rights to 7,038 afy of groundwater from the Alluvial aquifer, which is presently used by Newhall for agricultural irrigation. In addition, due to project conditions, the amount of groundwater that will be used to meet the potable demands of the Newhall Ranch Specific Plan, including the Mission Village ~~and Landmark Village projects~~ project, cannot exceed the amount of water historically and presently used by Newhall for agricultural uses. Therefore, no net increase in groundwater use will occur with implementation of this project pursuant to the Specific Plan.

If the Newhall Ranch WRP is not operating at the time of Mission Village project occupancy, the project's non-potable water demand would be met through the use of recycled water from the Valencia WRP. Accordingly, the proposed project's water demand would be met by relying on two primary sources of water supply, namely, Newhall's agricultural water supplies and recycled water supplied by the Newhall Ranch WRP or the existing Valencia WRP. Because these two independent water sources meet the water needs of the proposed project, no potable water would be needed from the existing or planned water supplies of the Castaic Lake Water Agency (CLWA), including imported water from CLWA's SWP supplies.

While the ~~Landmark~~ Mission Village and ~~Mission~~ Landmark Village projects are part of the potable water system for the entire Specific Plan, these projects would not rely on Nickel water to satisfy their potable water demands. As reported in the Newhall Ranch Revised Additional Analysis, Section 2.5, Water Resources (Volume VIII, May 2003), the Nickel water would only be needed on the Specific Plan site in years when the Newhall agricultural water has been used (i.e., 7,038 acre-feet per year), which is estimated to occur after approximately the 21st year of Newhall Ranch project construction.

⁴⁵ Mission Village Draft EIR, **Appendix 4.8** and **Appendix 4.10**.

Furthermore, Newhall is conditioned to prohibit "self-regenerating water softeners," or SRWS₄ in Newhall Ranch and SCVSD staff will recommend that the NRSD enact a ban similar to the SRWS ban in Santa Clarita Valley. Thus, this significant source of chloride will not be present in the wastewater from the Mission Village and Landmark Village projects.

As shown in Mission Village Draft EIR, Section 4.9, Table 4.9-1 (Mission Village Wastewater Generation)₄₆, residential land uses will generate about 73 percent of the total wastewater generated and commercial land uses would generate the remaining 27 percent. Based on the chloride concentrations identified in the 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, the overall chloride concentration in the Mission Village wastewater can be calculated as: (percent residential wastewater generated multiplied by residential concentration) ~~plus~~ (percent commercial wastewater generation multiplied by commercial concentration) ~~equals~~ total chloride concentration. The average chloride concentration in the Mission Village project's groundwater supply is approximately 82 mg/L₄₆, the non-SRWS residential chloride concentration is 31 mg/L (above water supply concentration)₄₇ and the commercial concentration accounts for 33 mg/L above the water supply concentration₄₇. Given these parameters, the concentration of chloride in the Mission Village and Landmark Village interim wastewater discharges to the Valencia WRP would be about 113 mg/L₄₈. ~~As the same relative amount of residential and non-residential land uses are proposed for the Landmark Village project, its wastewater chloride concentration would be the same as that from the Mission Village project.~~₄₉₅₀ After consideration of the chloride concentration attributable to disinfection practices at the Valencia WRP (12 mg/L₅₁), the Valencia WRP effluent concentration of treated Mission Village and Landmark Village wastewater would be approximately 125 mg/L.

In comparison, the average Valencia WRP effluent chloride concentration from 2000 through 2010 was 159 mg/L, with a maximum of 195 mg/L in 2003 and minimum of 128 mg/L in 2010₅₂. Thus, the interim discharge of wastewater from the Valencia WRP due to the Mission Village and Landmark Village projects' wastewater would have similar chloride concentrations (assuming complete elimination of

⁴⁶ Mission Village Draft EIR, **Appendix 4.8** and **Appendix 4.10**.

⁴⁷ Sanitation Districts of Los Angeles County, 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, November 2010, pg.3-14.

⁴⁸ ~~$[0.76*(82+31)] + [0.24*(82+33)] = 113.0 \text{ mg/L chloride}$~~

⁴⁹ $[0.76*(82+31)] + [0.24*(82+33)] = 113.0 \text{ mg/L chloride}$

⁵⁰ The concentration of chloride in the wastewater discharges for both Landmark Village and Mission Village are the same because the same relative amount of residential and non-residential land uses are proposed.

⁵¹ Sanitation Districts of Los Angeles County, 2010 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, November 2010, Table 3.9-2, pg.3-21.

⁵² Data provided by Santa Clarita Valley Sanitation Districts.

SRWS from SCVSD's service area), or would lower chloride concentrations in discharges from the Valencia WRP (if SRWS are not completely eliminated).

Thus, the interim discharge of wastewater from the Valencia WRP due to the Mission Village and Landmark Village projects' wastewater would have a less than significant impact on chloride in the Santa Clara River, because: (a) the discharge of wastewater from the Valencia WRP has been demonstrated to be similar as between the Mission Village and Landmark Village projects' wastewater and the wastewater from existing Santa Clarita Valley communities; (b) the use of the Valencia WRP for treatment of Mission Village and Landmark Village wastewater (i.e., first 6,000 dwelling units) would be temporary until construction of the Newhall Ranch WRP; and (c) the Valencia WRP has sufficient capacity to accommodate the interim wastewater discharge from the first 6,000 homesdwelling units from Newhall Ranch's Mission Village and Landmark Village projects (~~see below~~).

68. VALENCIA WRP CAPACITY

~~The Interconnection Agreement allows for interim wastewater discharges from up to 6,000 homes from the Newhall Ranch projects, which is equivalent to about 1.6 million gallons per day (mgd). Mission Village is projected to produce about 1 mgd and Landmark Village is projected to produce about 0.3 mgd, for a total of approximately 1.3 mgd, in the interim period before the Newhall WRP is built. The Valencia WRP treated approximately 15 mgd in 2010 and currently has a capacity of 21.6 mgd (yielding 6.6 mgd of surplus capacity)⁵³. Thus, the Valencia WRP has sufficient capacity to accommodate the interim processing of up to 1.6 mgd as outlined in the Interconnection Agreement.~~

~~The design capacity and expectations for future expansion are based on studies of regional growth conducted by the SCVSD. Connection permits are only issued if there is sufficient collection and treatment capacity. The SCVSD⁵⁴ routinely monitors system capacity and anticipated development to ensure sufficient capacity for approved developments. According to recent SCVSD flow projections based on Southern California Association of Governments (SCAG) Regional Transportation Plan, 2008, the previously approved Stage VI expansion at the Valencia WRP is not expected to be needed until approximately 2021 and the site buildout capacity of 34.2 mgd is not expected to be reached until~~

⁵³ ~~Comment letter on the Mission Village (TTM 061105) Draft EIR from the County Sanitation Districts of Los Angeles County, dated November 17, 2010.~~

⁵⁴ ~~The Santa Clarita Valley Sanitation District is a member of the Sanitation Districts and is the wastewater service provider for the City of Santa Clarita and some surrounding unincorporated county areas. The Santa Clarita Valley Sanitation District operates the Valencia WRP.~~

approximately 2033⁵⁵. However, because Mission Village and Landmark Village sewage will ultimately be treated at the Newhall Ranch WRP⁵⁶, the project is expected to have a less than significant impact on future expansion of SCVSD facilities.

The Valencia WRP currently delivers approximately 400 acre feet per year of recycled water to the Valencia Water Company that is used by its customers for irrigation of the Westridge Golf Course, and slopes and parkway medians. The Mission Village and Landmark Village projects will also utilize recycled water from the Valencia WRP for landscape irrigation until the Newhall WRP is operational. The combined Mission Village and Landmark Village projects recycled water demand is projected to be 1,579 acre feet per year, in comparison to the combined wastewater generation rate of 1,456 acre feet per year (1.3 mgd), a surplus demand of approximately 123 acre feet per year. The use of Valencia WRP effluent for irrigation will reduce the amount of groundwater pumping required for water supply in addition to reducing the quantity of Valencia WRP discharges that may require advanced treatment for chloride removal.

7. COST IMPLICATION FOR DISCHARGES TO VALENCIA WRP

Comments have requested information regarding the costs of water infrastructure and wastewater treatment process. While it is correct that the applicant will fund these required services, the Draft EIR is not the forum for addressing such costs. The funding of these services is not under the jurisdiction of Los Angeles County, and the provision for funding of mitigation measures does not itself create the prospect of a physical change to the environment and, therefore, is not a potentially significant effect on the environment requiring analysis under CEQA. (Pub. Res. Code, § 21060.5.) Consequently, this information is not required. However, responsive information is provided below.

When operating at flows equal to or below the permitted plant capacity, compliance with the chloride TMDL will depend on the chloride concentration in the treatment plant effluent. Local groundwater is the planned potable water source for the Specific Plan's Landmark and Mission Villages, the two developments whose wastewater would be temporarily treated at SCVSD's Valencia WRP under the Interconnection Agreement. The groundwater chloride levels for these two communities are similar to

⁵⁵ Comment letter on the Mission Village (TTM 061105) Draft EIR from the County Sanitation Districts of Los Angeles County, dated November 17, 2010.

⁵⁶ Due to gravitational limitations, a small portion of wastewater flow (0.27 mgd) from a portion of the Mission Village project area would be permanently treated at the Valencia WRP. Treatment of this flow from the Mission Village at the Valencia WRP will be subject to conditions specified in a Joint Sewerage Services Agreement to be executed between NRSD and the Santa Clarita Valley Sanitation District.

~~that of the groundwater used by existing Santa Clarita Valley communities. Thus, no difference in chloride concentration is expected due to the water supply.~~

~~In addition, like the Santa Clarita Valley, Mission Village and Landmark Village will be a mixture of residential and commercial land uses with little industry. Historically, use of SRWS in the Santa Clarita Valley was a significant chloride source for SCVSD wastewater prior to the ban on SRWS. Since the ban, a significant portion of the SRWS have been removed resulting in a marked drop in chloride levels in the wastewater. SCVSD intends to continue enforcement/removal efforts until essentially all SRWS are removed. Pursuant to Specific Plan Mitigation Measure 5.0 52, Newhall must request that NRSD also ban SRWS within the Newhall Ranch Specific Plan area. SCVSD's staff has confirmed that they will recommend that the NRSD enact an SRWS ban similar to the ban adopted in the SCVSD service area. Consequently, the Mission Village and Landmark Village communities are expected to produce similar overall wastewater chloride concentrations to the chloride concentrations in wastewater from the Santa Clarita Valley. Since final compliance will be determined by concentration, the addition of Newhall Ranch wastewater to the Valencia WRP would not impact the SCVSD's compliance with the chloride TMDL, nor add to the SCVSD's financial burden or cost to comply with the chloride TMDL.~~

~~Temporary use of SCVSD's Valencia WRP for treatment of Landmark Village and Mission Village wastewater also does not eliminate the requirement for the developer to construct the Newhall Ranch WRP or to finance the new sewerage system within the Specific Plan area. The developer must construct the Newhall Ranch WRP and have it operational before the next phase after Landmark Village and Mission Village. Temporary treatment of Landmark Village and Mission Village wastewater at SCVSD's Valencia WRP is a practical engineering decision based on the need to build up an adequate steady flow of wastewater before starting up the Newhall Ranch WRP.~~

8Please see the Mission Village Final EIR (October 2011), **Topical Response 4: Revised Project Design**, for a discussion and analysis of the Valencia WRP capacity, which is sufficient to temporarily treat the Newhall Ranch project wastewater at the Valencia WRP, as needed, until such time as the first phase of the Newhall Ranch WRP is constructed.

9. COST IMPLICATION FOR DISCHARGES TO VALENCIA WRP

Please see the Mission Village Final EIR (October 2011), **Topical Response 4: Revised Project Design**, for a discussion of the cost implications of the interim treatment of Newhall Ranch project wastewater at the Valencia WRP, as needed, until such time as the first phase of the Newhall Ranch WRP is constructed.

10. REFERENCED DOCUMENTS

The documents used in preparing this response, as referenced in the footnotes, are available for public review and inspection ~~by~~upon request to the County's Department of Regional Planning and are incorporated by this reference.

Topical Response 6: Water Quality

Background

The Mission Village Draft EIR, Section 4.22, Water Quality, and Appendix 4.22, Mission Village Water Quality Technical Report, the *Newhall Ranch Specific Plan Sub-Regional Stormwater Mitigation Plan* Geosyntec, 2008 (“Sub-Regional Stormwater Mitigation Plan”) sets forth the urban runoff management program that would be implemented for the proposed project. As indicated in the Sub-Regional Stormwater Mitigation Plan, the Mission Village project incorporated Project Design Features (PDFs) to address water quality and hydrologic impacts. These PDFs include site design, low impact development (LID), source control, treatment control, and hydromodification control best management practices (BMPs).

Most of the BMPs will promote infiltration and recharge groundwater. To promote infiltration and groundwater recharge, the project design calls for clustering development within the Newhall Ranch Specific Plan area into villages. Approximately 74 percent (10,145 acres) of the Specific Plan area will remain undeveloped open space. LID BMPs that promote retention of urban runoff are included as PDFs. (See, Sub-Regional Stormwater Mitigation Plan and Mission Village Draft EIR, Section 4.22, Water Quality). However, the water quality modeling conducted for the impact analysis does not account for the stormwater runoff that would be retained in these LID BMPs.

In response to the Regional Water Quality Control Board comment letter, dated January 4, 2011, the applicant has selected LID BMPs that maximize on-site retention of runoff from the water quality design storm (i.e., the first 0.75 inch of precipitation). These BMPs include LID requirements similar to those in the Regional Board’s recently adopted Ventura County MS4 NPDES Permit (Order No. R4-2010-0108), even though the Ventura MS4 Permit does not apply to the Mission Village project, because it is located entirely within Los Angeles County.

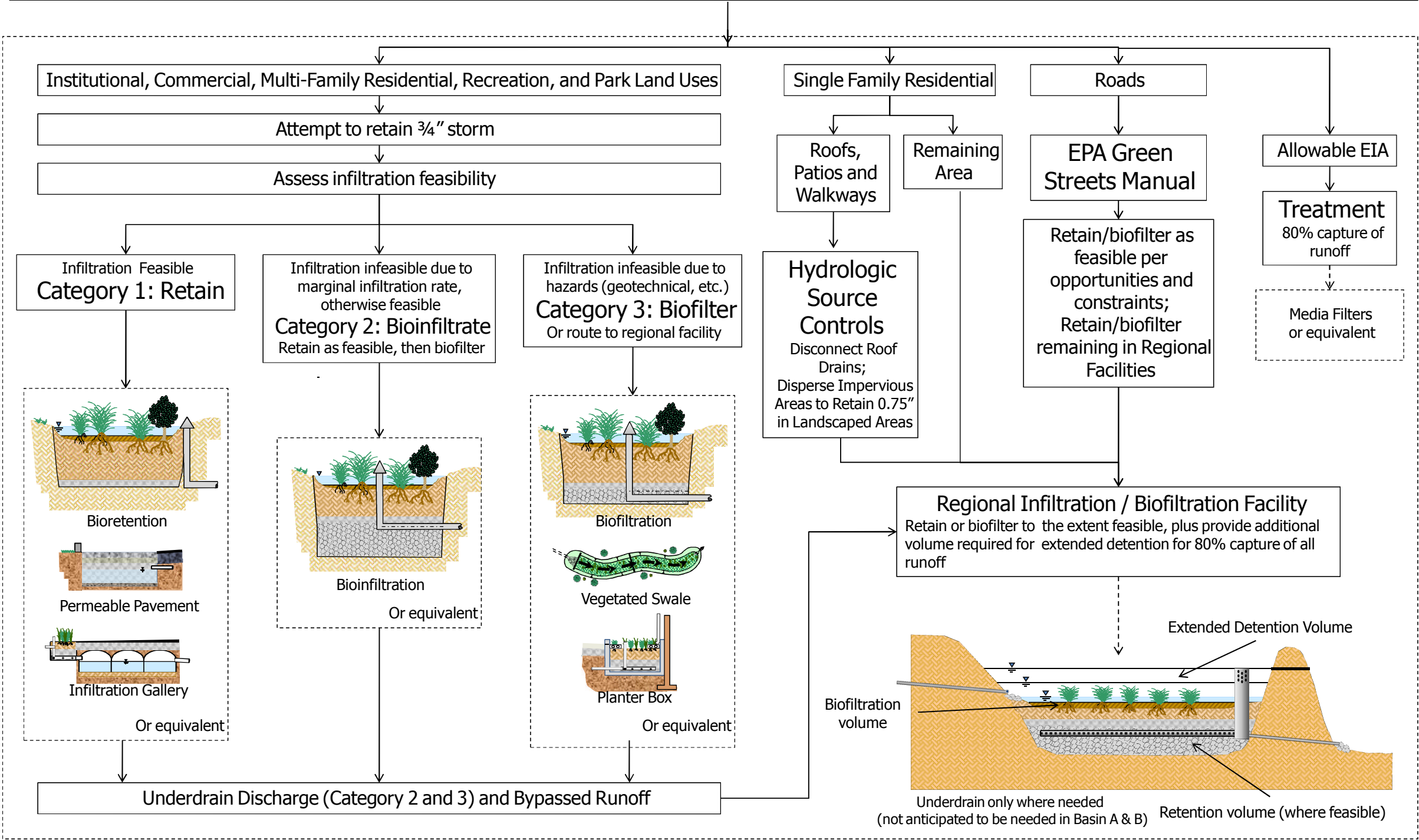
The revised Ventura County MS4 Permit requires that applicable projects reduce Effective Impervious Area (EIA) to less than or equal to five percent ($\leq 5\%$) of the total project area, unless infeasible. Impervious surfaces are rendered “ineffective” if the design storm volume is fully retained on the project site using infiltration, reuse, and/or evapotranspiration retention BMPs. Biofiltration BMPs may be used to achieve the 5% EIA standard if retention BMPs are technically infeasible, but must be sized to capture 150% of the design storm volume.

LID Performance Standard

A LID Performance Standard conceptually similar to the LID requirements in the Ventura County NPDES MS4 Permit has been developed and quantified for the project. The LID BMP Performance Standard is illustrated in **Figure 1** and described below:

MISSION VILLAGE LID PERFORMANCE STANDARD

LID project design features (PDFs) shall be selected and sized to retain the volume of stormwater runoff produced from a 0.75 inch storm event to reduce the percentage of Effective Impervious Area (EIA) to 5 percent or less of the total project area within the vesting tentative map project and associated off-site project area. Runoff from all EIA shall be treated with treatment control measures that are selected to address the pollutants of concern and are sized to capture and treat 80 percent of the average annual runoff volume.



SOURCE: Geosyntec Consultants – May 2011

FIGURE 1

LID project design features (PDFs) shall be selected and sized to: (1) fully retain the volume of stormwater runoff produced from a 0.75 inch storm event; and (2) reduce the percentage of Effective Impervious Area (EIA) to five percent or less of the total project area within the vesting tentative map and associated off-site project area. Runoff from all EIA shall be subject to treatment control measures that are selected to address the pollutants of concern and are sized to capture and treat 80 percent of the average annual runoff volume.

This LID Performance Standard will be implemented as follows:

1. Institutional, commercial, multi-family residential, recreation, and park land use parcels would implement retention or biofiltration BMPs on-site to the extent feasible. Based on an assessment of feasibility, one of three BMP strategies would be applied as outlined below:
 - a. *Infiltration feasible*: If it is feasible to infiltrate all of the developed area runoff produced from the 0.75 inch design storm (i.e., soil infiltration rates are at least 0.5 inches per hour, fill depth is less than 10 feet, and no infiltration geotechnical hazards exist (such as landslides and terrace escarpments)), infiltration BMPs would be used. Infiltration BMPs include bioretention (without an underdrain), permeable pavement, infiltration galleries, infiltration basins or trenches, or an equivalent infiltration BMP.
 - b. *Bioinfiltration allowable when infiltration rates or deep fill depths are present*: If the parcel has low soil infiltration rates (i.e., the soil infiltration rate is less than 0.5 inches per hour) or the depth of fill is greater than 10 feet, but no other technical infeasibility concerns exist, bioinfiltration BMPs would be used. Bioinfiltration facilities are similar to bioretention facilities with an underdrain, but they include storage below the underdrain to maximize the volume infiltrated. These facilities would retain a portion of the runoff from the design storm, then biofilter the remaining runoff from the design storm.
 - c. *Infiltration is not allowable*: If infiltration is technically infeasible due to geotechnical hazards or a high ground water table, then biofiltration BMPs would be used. These BMPs would biofilter the runoff produced from the design storm from the developed area.
2. Runoff from roofs, patios, and walkways in single family residential parcels would be distributed over landscaped areas designed to fully retain the volume of runoff from the 0.75 inch storm event. Runoff from the remaining parcel area and that which does not infiltrate in the landscaped area would flow through the storm drain system to the regional infiltration/biofiltration facilities.
3. Runoff from roadways would be retained or biofiltered in retention or biofiltration BMPs sized to capture the design storm volume or flow, per the guidance in U.S. Environmental Protection Agency's (USEPA) Managing Wet Weather with Green Infrastructure: Green Streets.
4. No more than 5% of the total Project area would be treated using conventional treatment methods that address the pollutants of concern. In this case, media filters (or equivalent BMPs that address the pollutants of concern) would be sized to capture and treat 80% of the average annual runoff volume from the allowable EIA.
5. Regional infiltration/biofiltration facilities also would be implemented. The regional facilities would be designed to incorporate a biofilter in the bottom of the facility, which would allow for infiltration

if feasible, with detention storage above the biofilter. The regional facilities would infiltrate or biofilter the design storm volume that has not been retained or biofiltered on the parcels in the area tributary to the regional facility. They also would provide extended detention treatment for the additional runoff volume required to provide 80 percent capture and treatment of the average annual runoff volume per the Newhall Ranch Specific Plan Sub-Regional Stormwater Mitigation Plan treatment performance standard.

Methodology

A load-based water quality model was used to estimate pollutant loads and concentrations in project area stormwater runoff for pre-development conditions and post-development conditions with the LID BMPs described above. This model was coupled with hydrologic and hydraulic modules of USEPA SWMM v4.4h to quantify the volume reduction and capture efficiency of the BMPs.

Table TR6-1 below provides a list of model inputs and the sources for these inputs. For further detail, please see Appendix B of the *Mission Village Water Quality Technical Report* (Draft EIR, Appendix 4.22) (the “MVWQTR”) and Final EIR, **Appendix F4.22**.

Table TR6-1: Model Input Requirements and Assumptions

Model Input	Assumption/Source
Hourly long-term rainfall record	<ul style="list-style-type: none"> National Climatic Data Center (NCDC) Newhall (046162) and San Fernando (047762) rain gauge data from 1969-2008
Green-Ampt soil parameters	<ul style="list-style-type: none"> Natural Resource Conservation Service Soil Data Mart Table 5.5.5 – Handbook of Hydrology (Maidment, ed. 2003)
Land use-based imperviousness	<ul style="list-style-type: none"> LA County Hydrology Manual (LACDPW, 2006)
Land use-based stormwater runoff event mean concentrations	<ul style="list-style-type: none"> Los Angeles County 1994-2000 Integrated Receiving Water Impacts Report, 2000 Los Angeles County 2000-2001 Stormwater Monitoring Report, 2001 Ventura County Watershed Protection District As analyzed for the Los Angeles Structural BMP Prioritization and Assessment Tool (LACDPW, City of Los Angeles, and Heal the Bay, 2008)
Volume and flow-based BMP design criteria	<ul style="list-style-type: none"> 80% Capture of Average Annual Runoff Volume (NRSP Sub-Regional SWMP (Geosyntec, 2008))

Model Input	Assumption/Source																											
BMP selection criteria	<ul style="list-style-type: none">• Select and locate BMPs with a preference for infiltration.• Select BMPs to infiltrate the runoff volume from the 0.75-inch design storm to the extent feasible and biofilter the remaining fraction of the 80 percent capture volume.• Evaluate degree of feasibility of infiltration based on land use type, native soil infiltration rate, proposed cut and fill, depth to groundwater, presence of landslides that will remain after remedial grading, and other geotechnically- or ecologically-based constraints.																											
Volume reduction and LID BMPs analyzed quantitatively	<ul style="list-style-type: none">• Clustering (preservation of open space)• Hydrologic source controls• Distributed retention, bioinfiltration, and biofiltration BMPs• Regional infiltration, bioinfiltration, and biofiltration facilities• Media filters																											
Volume reduction modeling parameters	<ul style="list-style-type: none">• Hydrologic source controls: equal ratio of disconnected of rooftops and patios to landscaped areas receiving disconnection• Onsite BMPs:<table><tr><th>Feasibility Category</th><th>Constraint</th><th>Design infiltration rate (in/hr)</th></tr><tr><td>Category 1: Retention</td><td></td><td>0.38</td></tr><tr><td>Category 2: Bioinfiltration</td><td></td><td>0.15</td></tr><tr><td>Category 3: Biofiltration</td><td></td><td>0</td></tr></table>• Regional Facilities:<table><tr><th>Feasibility Category</th><th>Constraint</th><th>Design infiltration rate (in/hr)</th></tr><tr><td>Category 1: Infiltration with Extended Detention</td><td></td><td>1.25</td></tr><tr><td>Category 2: Bioinfiltration with Extended Detention</td><td></td><td>0.25</td></tr><tr><td>Category 3: Biofiltration with Extended Detention</td><td></td><td>0</td></tr><tr><td></td><td></td><td></td></tr></table>	Feasibility Category	Constraint	Design infiltration rate (in/hr)	Category 1: Retention		0.38	Category 2: Bioinfiltration		0.15	Category 3: Biofiltration		0	Feasibility Category	Constraint	Design infiltration rate (in/hr)	Category 1: Infiltration with Extended Detention		1.25	Category 2: Bioinfiltration with Extended Detention		0.25	Category 3: Biofiltration with Extended Detention		0			
Feasibility Category	Constraint	Design infiltration rate (in/hr)																										
Category 1: Retention		0.38																										
Category 2: Bioinfiltration		0.15																										
Category 3: Biofiltration		0																										
Feasibility Category	Constraint	Design infiltration rate (in/hr)																										
Category 1: Infiltration with Extended Detention		1.25																										
Category 2: Bioinfiltration with Extended Detention		0.25																										
Category 3: Biofiltration with Extended Detention		0																										
LID BMP effluent quality	<ul style="list-style-type: none">• ASCE/USEPA (American Society of Civil Engineers Urban Water Resources Research Council and United States Environmental Protection Agency) 2011, International Stormwater Best Management Practices Database (www.bmpdatabase.org); (Reanalysis of expanded database conducted January 2011)																											

The land use areas analyzed for this response are listed in **Table TR6-2** below and illustrated in **Figure 2**. These land use areas are for the revised project description included in the Final EIR. Please see **Topical Response 4: Revised Project Design**.

Table TR6-2: Summary of Scenarios Analyzed

Land Use Designation	Mission Village Project (Acres)
Commercial	76.3
School	9.5
Multi-Family Residential	237.7
Single Family Residential	124.6
Park	29.7
Recreation	11.8
Open Space	655.0
Water Quality Basin	18.8
Road	98.4
Tract Map Total	1261.8
Off-site Commercial (Water Tanks)	2.1
Off-site Water Quality Basin	6.1
Off-site Road	25.4
Total Area	1295.4

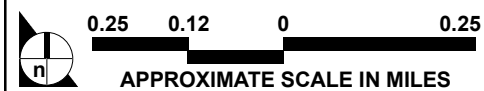
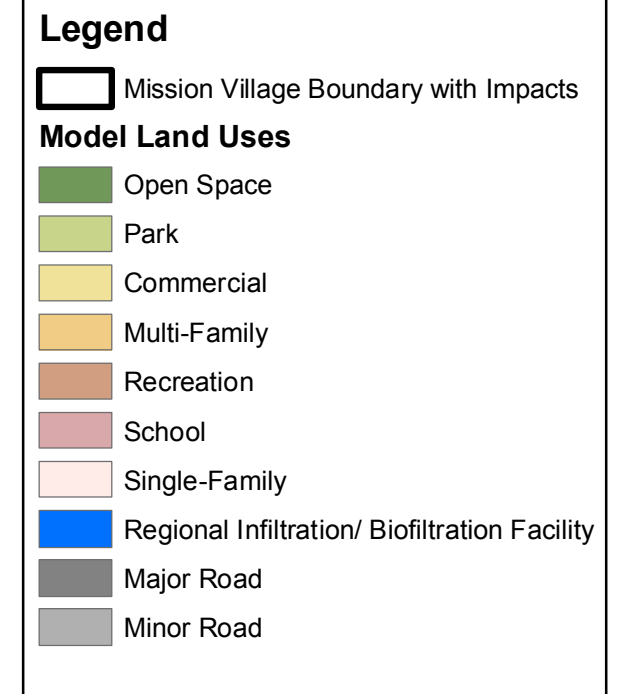
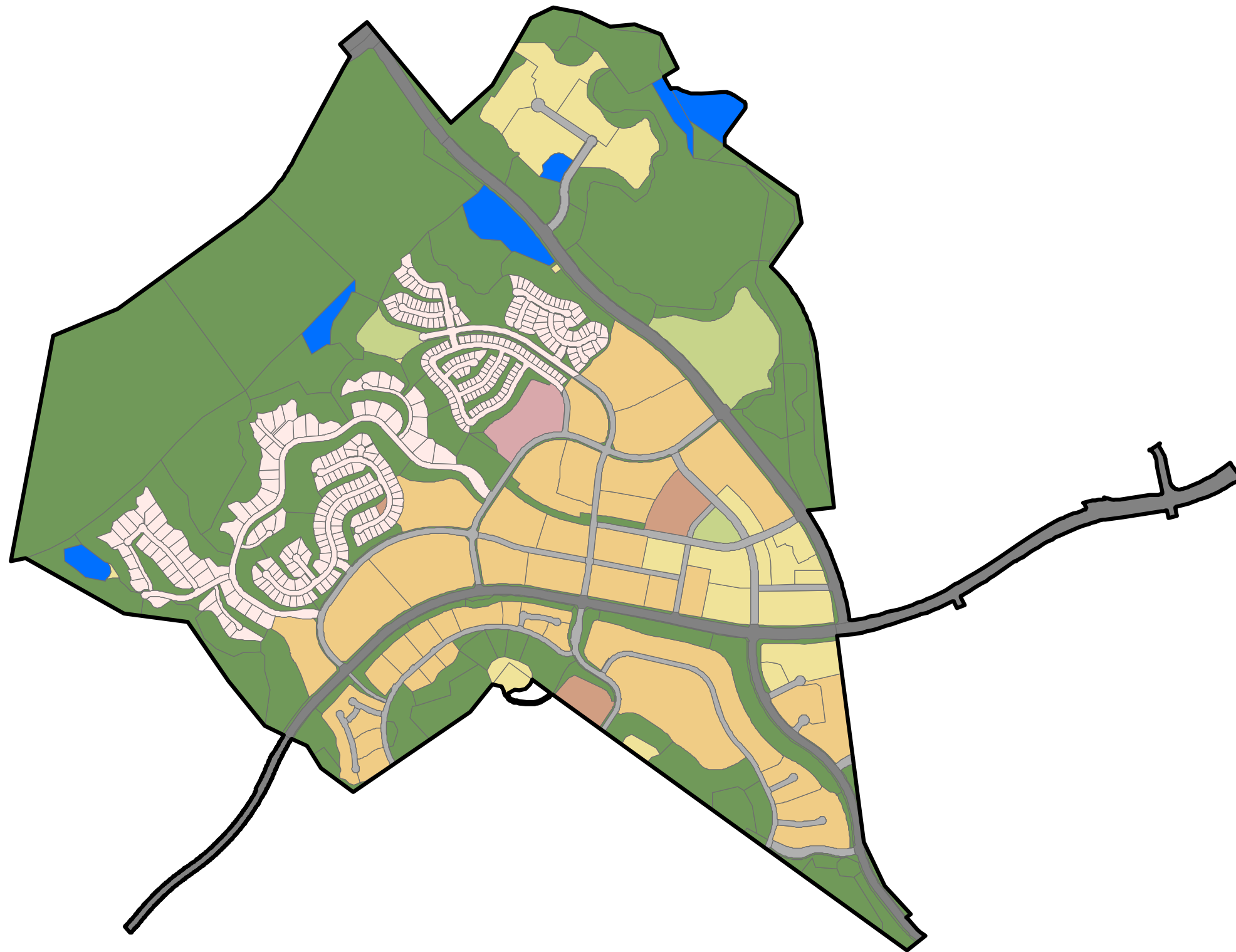
Results

LID Feasibility Screening for the Project Area

A feasibility assessment was conducted for the project area to determine which of three BMP strategies could be applied on site and whether the regional infiltration/biofiltration facilities would allow for infiltration. This analysis was performed using spatial data processing for infiltration feasibility using the criteria listed below:

Locations where seasonal high groundwater is 10 feet or more from the surface;

- Locations with no potential geotechnical hazards;
- Locations with soil infiltration rates at least 0.5 inches per hour;
- Locations with fill depths less than 10 feet.



SOURCE: Geosyntec Consultants – February 2011

FIGURE 2

Mission Village Land Use

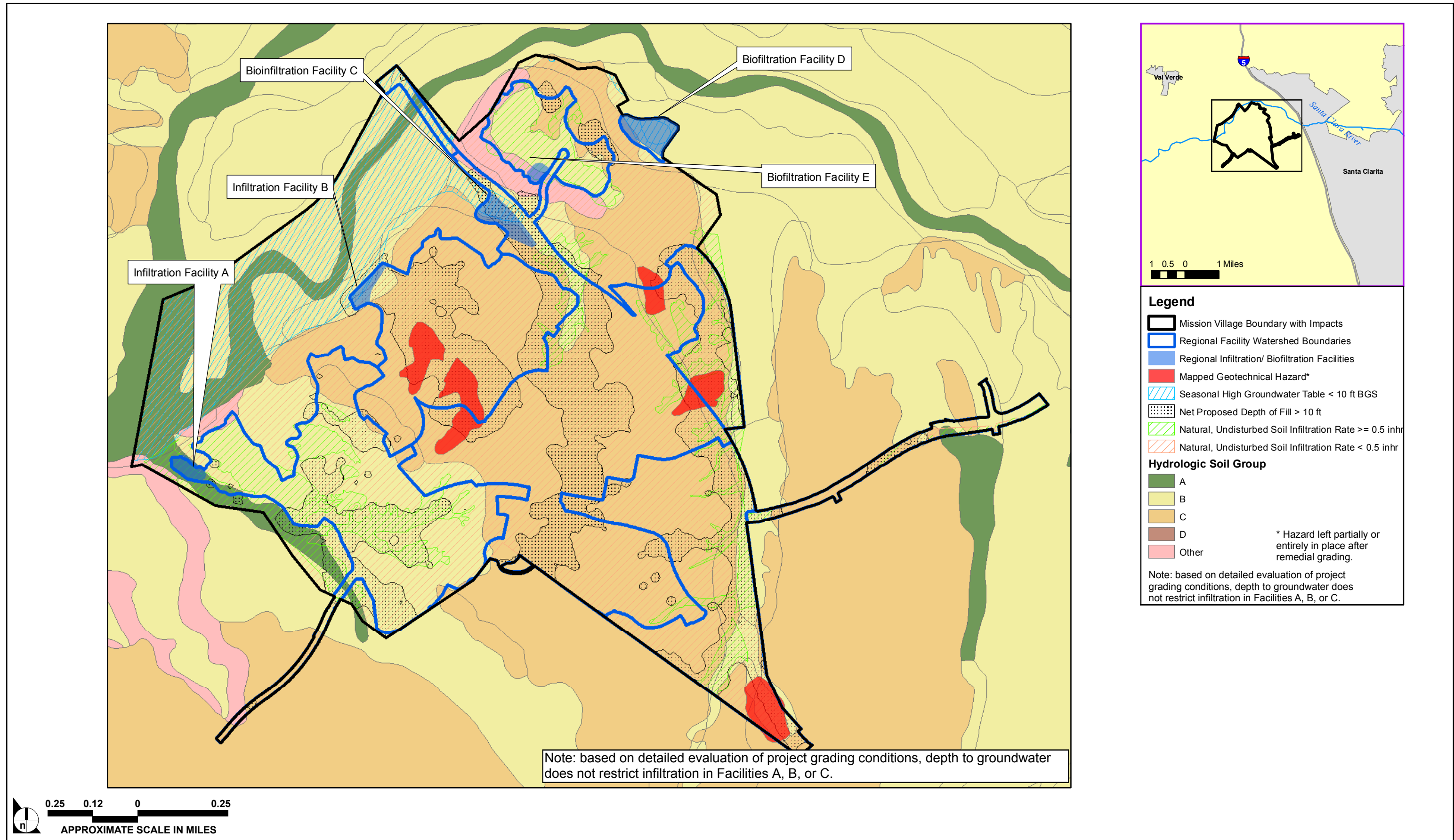
The results of this feasibility screening are shown in **Figure 3**. **Figure 4** illustrates the LID BMPs for the Mission Village project area based on the feasibility screening.

Project Impact Assessment for Modeled Pollutants of Concern

Table TR6-3, below, shows the predicted changes in project stormwater runoff volume and mean annual loads for the modeled pollutants of concern. **Table TR6-4**, below, shows the predicted changes in concentration in stormwater runoff for the project area.

Table TR6-3: Predicted Average Annual Runoff Volume and Pollutant Loads

Parameter	Units	Existing Conditions	Developed Conditions with no BMPs	Developed Conditions w/ LID	Change w/LID
Volume	acre-ft	153	671	408	255
TSS	tons/yr	50	60	18	-32
Total Phosphorus	lbs/yr	196	585	189	-7
Nitrate-N + Nitrite-N	lbs/yr	647	2,153	603	-44
Ammonia-N	lbs/yr	177	998	203	26
Total Nitrogen	lbs/yr	1,550	5,860	1,830	280
Chloride	tons/yr	2	20	13	11
Dissolved Copper	lbs/yr	4	21	7	3
Total Lead	lbs/yr	5	12	4	-1
Dissolved Zinc	lbs/yr	104	180	49	-55
Dissolved Aluminum	lbs/yr	115	218	139	24
Total Aluminum	lbs/yr	567	1,176	353	-224

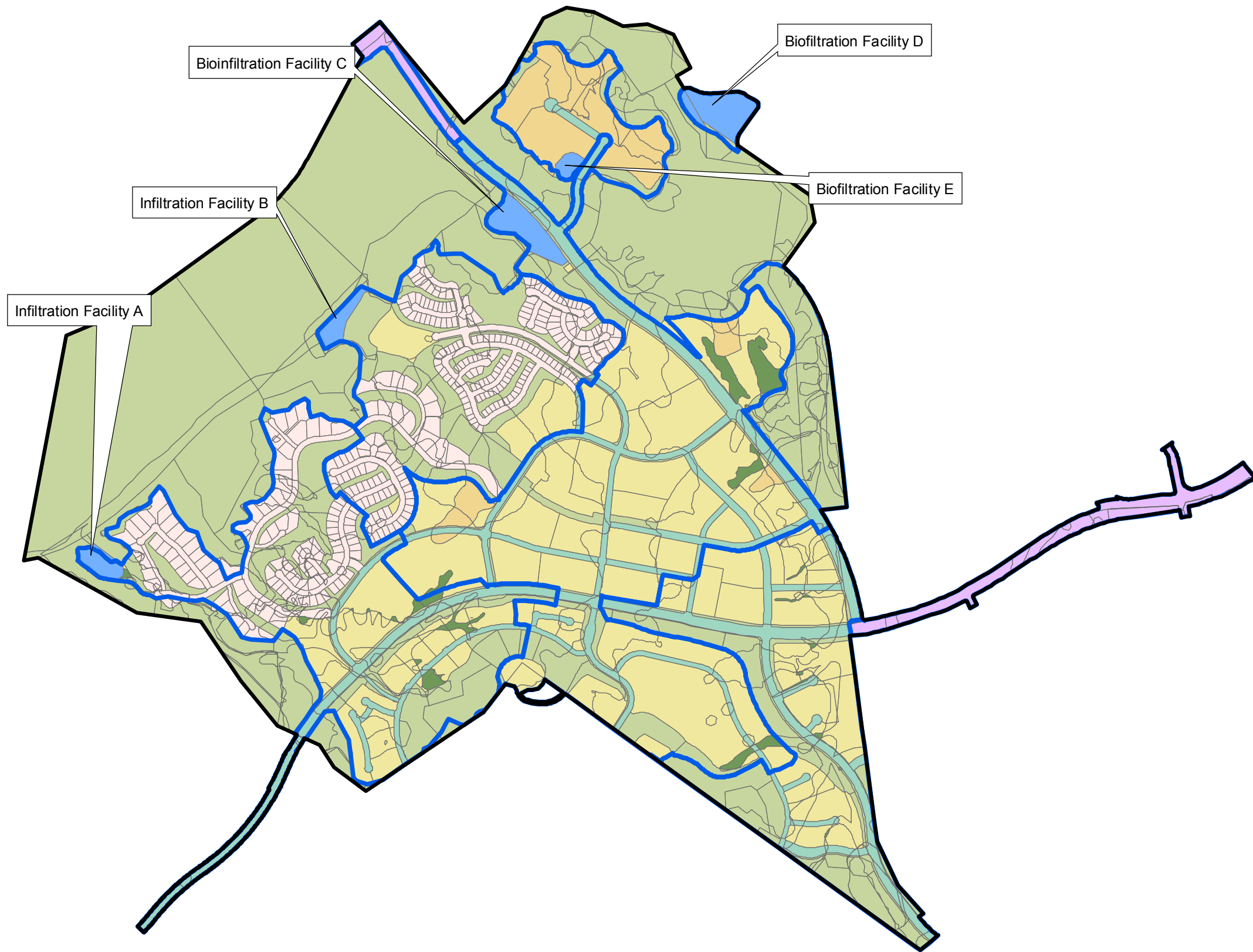


SOURCE: Geosyntec Consultants – February 2011

FIGURE 3



32-223-05/11



Legend

- Mission Village Boundary with Impacts
- Regional Facility Watershed Boundaries
- Treatment Category:**
 - Parcel-based Category 1
 - Parcel-based Category 2
 - Parcel-based Category 3
 - Single-Family Hydrologic Source Controls
 - Media Filter
 - Green Streets
 - Open Space
 - Regional Infiltration/ Biofiltration Facilities

SOURCE: Geosyntec Consultants – February 2011

FIGURE 4



32-223-05/11

2.0-74

Mission Village Treatment Map

Table TR6-4: Predicted Average Annual Pollutant Concentrations

Parameter	Units	Existing Conditions	Developed Conditions with no BMPs	Developed Conditions w/ LID	Change w/LID
TSS	mg/L	238	66	28	-210
Total Phosphorus	mg/L	0.47	0.32	0.16	-0.31
Nitrate-N + Nitrite-N	mg/L	1.5	1.2	0.5	-1.0
Ammonia-N	mg/L	0.46	0.55	0.16	-0.30
Total Nitrogen	mg/L	3.8	3.2	1.5	-2.3
Chloride	mg/L	12	22	23	11
Dissolved Copper	µg/L	10.5	11.4	6.4	-4.1
Total Lead	µg/L	12.5	6.7	3.0	-9.5
Dissolved Zinc	µg/L	282	100	41	-241
Dissolved Aluminum	µg/L	297	120	128	-169
Total Aluminum	µg/L	1,430	646	328	-1,102

Even with LID design features and BMPs, the project would result in increased runoff volume; ammonia, total nitrogen, dissolved copper, chloride, and dissolved aluminum loads. Chloride concentrations are predicted to increase as well. However, with LID PDFs and BMPs, total suspended solids (TSS), total phosphorous, nitrate-N + nitrite-N, total lead, dissolved zinc, and total aluminum loads would decrease, when compared to existing conditions, as would concentrations of all modeled constituents except chloride. The increase in runoff volume results from the increase in impervious surfaces at the site, as well as from reduced infiltration capacity due to compaction of site soils during construction. The change in pollutant concentrations can be attributed to the proposed shift in land uses – i.e., from agricultural and open space land uses (existing condition at the site) compared with urban land uses (post-development conditions) in combination with the reductions in concentration achieved in the LID and biofiltration BMPs. Change in pollutant load is a function of the increase in runoff volume and the relative change in pollutant concentration; if the predicted reduction in pollutant concentration is small, then the predicted runoff load of that pollutant may increase.

The predicted average annual TSS, nutrients, and chloride concentrations in stormwater runoff from the total modeled Project area are compared to water quality criteria in **Table TR6-5** below. Although loads of ammonia and total nitrogen are predicted to increase with development, the concentrations of these pollutants are predicted to decrease and to be below the Basin Plan water quality objectives (WQOs) and

total maximum daily load waste load allocation (TMDL WLAs) benchmark criteria because of the change in land uses and the implementation of LID and treatment control BMPs. Concentrations and loads of chloride are predicted to increase, but are well below the benchmark criteria. Concentrations and loads of TSS, total phosphorus, and nitrate-nitrogen plus nitrite-nitrogen are predicted to decrease and to be below benchmark criteria. In addition, all predicted concentrations are within the observed range of concentrations within Santa Clara River Reach 5. Based on the comprehensive LID implementation strategy, the predicted decrease in runoff concentrations, and the comparison with benchmark criteria and instream concentrations, water quality impacts related to TSS, nutrients, and chloride would be less-than-significant with implementation of the LID BMPs.

Table TR6-5: Comparison of Predicted TSS, Nutrient, and Chloride Concentrations for the Mission Village Project Area with Water Quality Objectives, TMDLs, and Observed Concentrations in Santa Clara River Reach 5

Pollutant	Predicted Average Annual Concentration w/LID (mg/L)	Basin Plan Water Quality Objectives (narrative or mg/L)	Wasteload Allocations for MS4 Discharges into the Santa Clara River Reach 5 (mg/L)	Range of Observed¹ Concentrations in Santa Clara River Reach 5 (mg/L)	Average Wet Weather² Concentration at Station S29 (Days > 0.1")
TSS	28	Water shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses	NA	32 – 51,200	1,060
Total Phosphorus	0.16	Waters shall not contain biostimulatory substances in concentrations that promote	NA	0.18 – 13.4	0.58

Pollutant	Predicted Average Annual Concentration w/LID (mg/L)	Basin Plan Water Quality Objectives (narrative or mg/L)	Wasteload Allocations for MS4 Discharges into the Santa Clara River Reach 5 (mg/L)	Range of Observed ¹ Concentrations in Santa Clara River Reach 5 (mg/L)	Average Wet Weather ² Concentration at Station S29 (Days > 0.1")
Total Nitrogen	1.5	aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses	NA	<0.04 – 46 ⁶	4.4
Nitrate-N + Nitrite-N	0.5	5	6.8 ³	0.5 – 4.8	0.9
Ammonia-N	0.16	2.2 ⁴	1.75 ⁵	<0.005 – 1.1	0.20
Chloride	23	100	100	3 - 121	43

¹ Range of concentrations observed in the Santa Clara River during wet weather (Stations S29, NR1, and NR3).

² Average concentration observed in wet weather monitoring data at Station S29 for all storm events greater than 0.1 inches.

³ 30-day average.

⁴ 4-day average, ELS present, 90th percentile pH and temperature pairing observed at USGS Monitoring Station 11108500.

⁵ 30-day average in Reach 5 below Valencia.

⁶ Observed values for TKN (ammonia plus organic nitrogen).

Comparison of the predicted runoff metal concentrations and the acute California Toxics Rule (CTR) criteria for dissolved copper, total lead, dissolved zinc, and total aluminum are shown in **Table TR6-6** below. The comparison of the post-developed with LID condition to the benchmark CTR values shows that all of the trace metal concentrations are predicted to be below the benchmark water quality criteria. Predicted trace metals concentrations are within the range of observed concentrations in Santa Clara River Reach 5, except for dissolved zinc, which is slightly above the range of observed concentrations.

There is no CTR criterion for aluminum, although there is a National Ambient Water Quality Criteria (NAWQC) criterion (750 µg/L (acute) for a pH range of 6.5 to 9.0) in the form of acid soluble aluminum (USEPA, 1988). It is not possible to directly compare the predicted aluminum concentration to this

criterion, as the available monitoring data used for modeling are for either dissolved aluminum or total aluminum. Acid soluble aluminum (which is operationally defined as the aluminum that passes through a 0.45 µm membrane filter after the sample has been acidified to a pH between 1.5 and 2.0 with nitric acid) represents the forms of aluminum toxic to aquatic life or that can be converted readily to toxic forms under natural conditions. The acid soluble measurement does not measure forms of aluminum that are included in total aluminum measurement, such as aluminum that is occluded in minerals, clays, and/or is strongly adsorbed to particulate matter, which are not toxic and are not likely to become toxic under natural conditions. The predicted mean total aluminum concentration is less than the NAWQC benchmark criterion for acid soluble aluminum, is predicted to decrease in the post-development condition, and is within the range of observed concentrations in Santa Clara River Reach 5.

Based on the comprehensive LID implementation strategy, the predicted decrease in runoff concentrations, and the comparison with benchmark objectives and instream concentrations, water quality impacts related to metals would be less-than-significant with implementation of the proposed LID BMPs.

Table TR6-6: Comparison of Predicted Trace Metal Concentrations for the Mission Village Project Area with Water Quality Criteria and Observed Concentrations in Santa Clara River Reach 5

Metal	Predicted Average Annual Concentration w/LID (µg/L)	California Toxics Rule Criteria¹ (µg/L)	Range of Observed² Concentrations in Santa Clara River Reach 5 (µg/L)	Average Wet Weather³ Concentration at Station S29 (Days > 0.1")
Dissolved Copper	6.4	32	3.3 – 22.6	7.3
Total Lead	3.0	260	0.6 – 40	18
Dissolved Zinc	41	250	3 – 37	19
Total Aluminum	328	N/A	131 – 19,650	5,500

¹ Hardness = 250 mg/L, based on minimum observed value at USGS Station 11108500. Lead criteria is for total recoverable lead. There is no CTR criterion for aluminum.

² Range of concentrations observed in the Santa Clara River during wet weather (Stations S29, NR1, and NR3).

³ Average concentration observed in wet weather monitoring data at Station S29 for all storm events greater than 0.1 inches.

Assessment of Potential Project Impacts on Instream Concentrations

The potential for project runoff to impact instream pollutant concentrations is a function of: (1) the relative magnitudes of runoff volume and instream flow volume; and (2) the relative magnitude of runoff concentrations and instream concentrations. The instream pollutant concentration with project contributions can be calculated using a simple mass balance equation:

$$C_{IS} = \frac{V_O \times C_O + V_P \times C_P}{V_O + V_P} \quad \text{Equation 1}$$

Where:

C_{IS} = Instream Concentration with Project Runoff

V_O = Instream Volume Upstream of Project

C_O = Instream Concentration Upstream of Project

V_P = Volume of Runoff from Project Area

C_P = Concentration of Runoff from Project Area

This relationship can also be expressed as:

$$C_{IS} = \frac{L_O + L_P}{V_O + V_P} \quad \text{Equation 2}$$

Where:

L_O = Instream Constituent Load Upstream of Project

L_P = Constituent Load in Runoff from Project Area

Based on these relationships, two universal conditions can be identified under which a project would not increase instream concentration:

- **Condition 1:** If the concentration of a constituent in project runoff (C_P) is less than the concentration of the constituent instream (C_O), then discharges from the project would result in a reduction of the instream concentration of that constituent; it would not be possible for the project's discharges to cause an increase in the instream concentration. Two extreme cases can be used to demonstrate this statement:
 - a. First, given that C_P is less than C_O , take the case where V_P is much less than V_O (e.g., the project size is small relative to the size of the watershed). In this case, the instream concentration, after receiving project runoff, would effectively equal C_O , although slightly less, indicating effectively no change in the instream concentration as a result of the project's discharges.

- b. Given that C_P is less than C_O , take the case where V_P is much greater than V_O (the project size is very large relative to the size of the watershed). In this case, the instream concentration, after receiving project runoff, would effectively equal C_P , indicating that the project would reduce instream concentration because C_P is less than C_O .
- **Condition 2:** If the load of a constituent in project runoff (L_P) decreases with development, but the volume of runoff from the project increases (V_P), then the project would be expected to result in a reduction of the instream concentration of that constituent regardless of instream volumes or concentrations. It would be impossible for the project to result in an increase in the instream concentration by reducing load but adding volume. In equation 2, this would effectively increase the numerator while reducing the denominator, which must cause the instream concentration to decrease.

The comparison project concentrations under post-developed conditions with LID implementation to the existing instream concentrations shows that all pollutant concentrations in the project's runoff, except dissolved zinc, are predicted to be below the average wet-weather instream concentration (Condition 1). On this basis, the project would be expected to result in a reduction in the instream concentrations of these constituents.

Based on predicted changes in loads and volumes as a result of the project with LID (**Table TR6-3**), the average annual load of dissolved zinc is predicted to go down with development, while runoff volumes are predicted to increase (Condition 2). On this basis, the project would be expected to result in a reduction in the instream concentrations of dissolved zinc.

Cumulative Impact Assessment for LID Implementation

The MVWQTR evaluates cumulative impacts for the unincorporated area of Los Angeles County west of The Old Road to the Los Angeles County/Ventura County line. This geographic area includes the Newhall Ranch Specific Plan, Entrada, Legacy Village, and the remaining unbuilt portions of the Valencia Commerce Center. The LID Performance Standard described above also would be implemented by the other Specific Plan villages and the Entrada, Legacy Village, and Valencia Commerce Center projects.

The combined effect of LID implementation on modeled pollutant loads and concentrations of the Newhall Ranch Specific Plan, Entrada, Legacy Village, and the Valencia Commerce Center proposed projects are summarized in **Tables TR6-7** and **TR6-8** below, respectively. As shown in **Table TR6-7**, when considered cumulatively, runoff volumes and loads of ammonia, dissolved copper, dissolved aluminum, and chloride are predicted to increase from the Newhall Ranch Specific Plan, Entrada, Legacy Village, and Valencia Commerce Center projects, while pollutant loads are expected to decrease for TSS, total phosphorus, nitrate-N + nitrite-N, total nitrogen, total lead, dissolved zinc, and total aluminum. Pollutant concentrations from the combined projects are predicted to decrease for all modeled parameters (**Table TR6-8**). Increases in pollutant loadings are not anticipated to be significant based on the fact that

predicted pollutant concentrations are well below benchmark water quality standards and TMDL wasteload allocations and are primarily within the range of observed concentrations in Santa Clara River Reach 5 (Table TR6-9).

Table TR6-7: Predicted Average Annual Combined Runoff Volume and Pollutant Loads for the NRSP, Legacy Village, Entrada, and Valencia Commerce Center Projects

Modeled Parameter	Units	Development Condition			Change
		Existing	Developed with no BMPs	Developed with LID	
Volume	acre-ft	1,500	4,900	3,400	1,900
TSS	tons/yr	650	650	340	-310
Total Phosphorus	lbs/yr	5,500	4,300	1,800	-3,700
Nitrate-N + Nitrite-N	lbs/yr	16,000	13,700	6,100	-9,900
Ammonia-N	lbs/yr	1,900	7,500	2,100	200
Total Nitrogen	lbs/yr	25,000	44,000	19,000	-6,000
Chloride	tons/yr	43	135	88	45
Dissolved Copper	lbs/yr	32	130	55	23
Total Lead	lbs/yr	42	102	40	-2
Dissolved Zinc	lbs/yr	400	1,110	390	-10
Dissolved Aluminum	lbs/yr	640	1,800	1,260	620
Total Aluminum	lbs/yr	6,300	10,400	5,400	-900

Table TR6-8: Predicted Average Annual Combined Pollutant Concentrations for the NRSP, Legacy Village, Entrada, and Valencia Commerce Center Projects

Modeled Parameter	Units	Development Condition			Change
		Existing	Developed with no BMPs	Developed with LID	
TSS	mg/L	330	100	70	-260
Total Phosphorus	mg/L	1.4	0.3	0.2	-1.2
Nitrate-N + Nitrite-N	mg/L	4.0	1.0	0.7	-3.3
Ammonia-N	mg/L	0.5	0.6	0.2	-0.3
Total Nitrogen	mg/L	6	3	2	-4
Chloride	mg/L	22	20	19	-3
Dissolved Copper	µg/L	8	10	6	-2
Total Lead	µg/L	10	8	4	-6
Dissolved Zinc	µg/L	100	80	40	-60
Dissolved Aluminum	µg/L	160	130	140	-20
Total Aluminum	µg/L	1,580	780	590	-990

Table TR6-9: Comparison of Predicted Pollutant Concentrations for the NRSP, Entrada, Legacy Village, and Valencia Commerce Center Projects with Water Quality Criteria and Observed Concentrations in Santa Clara River Reach 5

Modeled Parameter	Units	Predicted Average Annual Concentration	TMDL/ LA Basin Plan Water Quality Objectives	California Toxics Rule Criteria ¹	Wasteload Allocations for MS4 Discharges into the Santa Clara River Reach 5	Range of Observed ² Concentrations in Santa Clara River Reach 5	Average Wet Weather ³ Concentration at Station S29 (Days > 0.1")
TSS	mg/L	70	Water shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses	NA	NA	32 – 51,200	1,060
Total Phosphorus	mg/L	0.2	Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses	NA	NA	0.18 – 13.4	0.58
Total Nitrogen	mg/L	2		NA	NA	<0.04 – 46 ⁷	4.4
Nitrate-N + Nitrite-N	mg/L	0.7	5	NA	6.8 ⁴	0.5 – 4.8	0.9
Ammonia-N	mg/L	0.2	2.0 ⁵	NA	1.75 ⁶	<0.005 – 1.1	0.20
Chloride	mg/L	19	100	NA	100	3 - 121	43
Dissolved Copper	µg/L	6	NA	32	NA	3.3 – 22.6	7.3
Total Lead	µg/L	4	NA	260	NA	0.6 – 40	18
Dissolved Zinc	µg/L	40	NA	250	NA	3 – 37	19
Total Aluminum	µg/L	590	NA	NA	NA	131 – 19,650	5,500

¹ Hardness = 250 mg/L, based on minimum observed value at USGS Station 11108500. Lead criteria is for total recoverable lead. There is no CTR criterion for aluminum.

² Range of concentrations observed in the Santa Clara River during wet weather (Stations S29, NR1, and NR3).

³ Average concentration observed in wet weather monitoring data at Station S29 for all storm events greater than 0.1 inches.

⁴ 30-day average.

⁵ 4-day average, ELS present, 90th percentile pH and temperature pairing observed at USGS Monitoring Station 11108500.

⁶ 30-day average in Reach 5 below Valencia.

⁷ Observed values for TKN (ammonia plus organic nitrogen).

As discussed above, the project's effluent is not expected to cause or contribute to a violation of the water quality standards in the project's receiving waters. Therefore, the project's incremental effects on surface water quality are not considered significant.

The Mission Village project's surface runoff water quality, after PDFs, both during construction and post-development, is predicted to comply with adopted regulatory requirements that are designed by the LARWQCB to assure that regional development does not adversely affect water quality, including MS4 Permit and SUSMP requirements, Construction General Permit requirements, General Dewatering Permit requirements, and benchmark Basin Plan water quality objectives, CTR criteria, and TMDLs. Any future urban development occurring in the Santa Clara River watershed also must comply with these requirements. By extrapolating the results of the direct and cumulative impact analysis in this topical response, it can be predicted that analysis of other proposed developments, when combined with existing conditions, would have similar water quality results. Therefore, cumulative impacts on surface water quality of receiving waters from the project and future urban development in the Santa Clara watershed are addressed through compliance with the MS4 Permit and SUSMP requirements, Construction General Permit requirements, General Dewatering Permit requirements, and benchmark Basin Plan water quality objectives, CTR criteria, and TMDLs, which are intended to be protective of beneficial uses of the receiving waters. Based on compliance with these requirements designed to protect beneficial uses, cumulative water quality impacts are reduced to a less-than-significant level.

Conclusion

None of the modeled pollutants of concern are expected to adversely affect water quality in surface waters, unreasonably affect present or anticipated beneficial uses of such waters, result in water quality less than that prescribed in the Basin Plan, or significantly impact receiving waters due to implementation of the comprehensive LID Implementation Plan. Therefore, potential impacts from the Mission Village project on receiving water quality are not considered significant.

References

The following documents were used in preparing this topical response, and are incorporated by reference and available for public review and inspection upon request to the Los Angeles County Department of Regional Planning.

American Society of Civil Engineers Urban Water Resources Research Council and United States Environmental Protection Agency) 2011, International Stormwater Best Management Practices Database (www.bmpdatabase.org)

2.0 Topical Responses, Comment Letters, and Responses to Comment Letters

Geosyntec Consultants, 2008. *Newhall Ranch Specific Plan Sub-Regional Stormwater Mitigation Plan*. Prepared for Newhall Land by Geosyntec Consultants. April 2008.

Impact Sciences, 2010. Mission Village Draft Environmental Impact Report, SCH No. 2005051143. Prepared for the Los Angeles County Department of Regional Planning by Impact Sciences. October 2010.

Los Angeles County Department of Public Works (LACDPW), 2006. *Los Angeles County Hydrology Manual*.

Los Angeles County Department of Public Works (LACDPW), 2000. Los Angeles County 1994-2000 Integrated Receiving Water Impacts Report. Prepared by Los Angeles County Department of Public Works.

Los Angeles County Department of Public Works (LACDPW), 2001. Los Angeles County 2000-2001 Stormwater Monitoring Report.

Los Angeles County Department of Public Works (LACDPW), City of Los Angeles, and Heal the Bay, 2008. A User's Guide for the Structural BMP Prioritization and Analysis Tool (SBPAT v1.0). Prepared by Geosyntec Consultants for Heal the Bay, City of Los Angeles, and County of Los Angeles Department of Public Works. December 2008.

Maidment, D. R., ed., 1993. "Handbook of Hydrology," McGraw-Hill.

Ventura County, 2005. Ventura County stormwater quality monitoring data, from various annual reports (<http://www.vcstormwater.org/publications.htm>)